

COMMUNIST METHODS OF INFILTRATION

(EDUCATION—PART 9)

HEARINGS

BEFORE THE

COMMITTEE ON UN-AMERICAN ACTIVITIES

HOUSE OF REPRESENTATIVES

EIGHTY-THIRD CONGRESS

SECOND SESSION

JUNE 28 AND 29, 1954

Printed for the use of the Committee on Un-American Activities

INCLUDING INDEX



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1954

COMMITTEE ON UN-AMERICAN ACTIVITIES

UNITED STATES HOUSE OF REPRESENTATIVES

HAROLD H. VELDE, Illinois, *Chairman*

BERNARD W. KEARNEY, New York

FRANCIS E. WALTER, Pennsylvania

DONALD L. JACKSON, California

MORGAN M. MOULDER, Missouri

KIT CLARDY, Michigan

CLYDE DOYLE, California

GORDON H. SCHERER, Ohio

JAMES B. FRAZIER, JR., Tennessee

ROBERT L. KUNZIG, *Counsel*

FRANK S. TAVENNER, JR., *Counsel*

THOMAS W. BEALE, SR., *Chief Clerk*

RAPHAEL I. NIXON, *Director of Research*

COURTNEY E. OWENS, *Chief Investigator*

CONTENTS

	Page
June 28, 1954, testimony of—	
Francis X. T. Crowley-----	5755
Robert H. Silk-----	5783
Norman Cazden-----	5791
Lester Beberfall-----	5796
Lloyd Barenblatt-----	5801
June 29, 1954, testimony of—	
Jack Alexander Lucas-----	5815
Index-----	i

PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *

17. Committee on Un-American Activities, to consist of nine members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

(q) (1) Committee on Un-American Activities.
(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee, or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

RULES ADOPTED BY THE 83D CONGRESS

House Resolution 5, January 3, 1953

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress, the following standing committees:

* * * * *

(q) Committee on Un-American Activities, to consist of nine members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

17. Committee on Un-American Activities.

(a) Un-American activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time, investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses, and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by such chairman, and may be served by any person designated by any such chairman or member.

COMMUNIST METHODS OF INFILTRATION

(Education—Part 9)

MONDAY, JUNE 23, 1954

UNITED STATES HOUSE OF REPRESENTATIVES,
COMMITTEE ON UN-AMERICAN ACTIVITIES.

Washington, D. C.

The Committee on Un-American Activities met, pursuant to call, at 10:37 a. m., in the caucus room of the Old House Office Building, Hon. Harold H. Velde (chairman) presiding.

Committee members present: Representatives Harold H. Velde (chairman), Donald L. Jackson, Kit Clardy, Gordon H. Scherer, Francis E. Walter, and James B. Frazier, Jr. (appearance shown in transcript).

Staff members present: Robert L. Kunzig, counsel; Donald T. Appell, investigator; and Riley Smith, acting for the clerk.

Mr. VELDE. The committee will be in order.

Let the record show that present are Mr. Jackson of California, Mr. Clardy of Michigan, Mr. Scherer of Ohio, Mr. Walter of Pennsylvania, and myself of Illinois, a quorum of the full committee.

Before commencing this hearing I would like for counsel to explain to the committee the purposes and reasons for this hearing this morning.

Mr. KUNZIG. Mr. Chairman, on June 8, 1953, 1 year ago, there appeared before this committee in executive session one Francis Xavier Thomas Crowley, who had been subpoenaed after he had been identified as having been a member of the Communist Party at hearings in Michigan.

Mr. Crowley came before the committee and refused to answer any questions concerning either his own participation in any Communist activities or anyone else's participation. He flatly refused to answer any questions. He did not take the fifth amendment or avail himself of that privilege. He just refused to answer.

Subsequent to that time, after a vote of the full committee, Mr. Chairman, the committee recommended to the House of Representatives that Francis X. T. Crowley be cited for contempt of Congress.

On May 11, 1954, House Resolution 541 was adopted and Report No. 1586 concerning Mr. Crowley was presented and printed and adopted.

Mr. Crowley, by vote of 346 to 0, was cited for contempt of Congress and his name was referred to the United States Attorney for the District of Columbia to the end that he may be proceeded against in the manner and form provided by Congress. The case is even now

pending in the hands of the United States District Attorney for the District of Columbia.

Mr. Chairman, Mr. Crowley communicated on his own behalf with the committee and asked leave to come before the committee and tell his entire story. He said that he felt that he had misunderstood, that he had been in error. He said also that he had discussed the matter in detail with his priest and had been advised to come and tell the full and true story.

The committee met and agreed to hear Mr. Crowley and he is here today, not under subpoena, but voluntarily returning to the committee to answer the questions put to him by the members of the House Committee on Un-American Activities.

The field covered will be in the main communism in education and the experiences and background in the party by Francis X. T. Crowley.

It will deal with activities in Michigan, Boston, and in some small degree, New York.

Without further ado, Mr. Chairman, if I have your permission I will call the witness.

Mr. VELDE. All right, proceed.

Mr. KUNZIG. I call Francis X. T. Crowley.

Mr. VELDE. In the testimony you are about to give before this committee, do you solemnly swear you will tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. CROWLEY. I do.

Mr. JACKSON. Mr. Chairman?

Mr. VELDE. Mr. Jackson.

Mr. JACKSON. While the witness is taking the chair, I have a preliminary matter I would like to go into. This is a parliamentary inquiry as to whether or not in recommending to the full House a citation for contempt, whether or not that might be perhaps out of our jurisdiction, the House having acted upon it.

I don't know. I am simply putting that question as to whether the House exercises jurisdiction now in the matter of whether the committee is enabled to proceed on its own accord in the light of the House action.

Mr. VELDE. It is my understanding, of course, that when we have a witness who asks to testify before our committee that we do everything possible to grant that request and the privilege of being given a hearing. So the witness is appearing, as I understand, at his own request to clear matters up that he failed to clear up before this committee in executive session.

I do not think that the fact that the Attorney General or the Justice Department or the full House of Representatives has jurisdiction over him has anything to do with this particular hearing, as I understand it.

Mr. JACKSON. I ask this question not in a contentious spirit but simply that I may know that we have the jurisdiction.

Mr. VELDE. I believe we do under the rules.

Mr. CLARKE. Mr. Chairman, may I suggest that Mr. Jackson was necessarily absent at the time we took this up and as I recall the case we canvassed this pretty thoroughly and I think it was unanimously agreed upon that we should go forward.

(Representative James B. Frazier, Jr., entered the hearing room at this point.)

Mr. VELDE. You are referring to the meetings we held in executive session?

Mr. CLARDY. Yes, Mr. Chairman.

Mr. VELDE. Yes, and we had a quorum present.

Mr. SCHERER. In view of the statement by the gentleman from Michigan, I wish to say that the action of the committee was not unanimous. I voted against the motion for a number of reasons, but it was not because of a lack of desire to hear the testimony.

Mr. CLARDY. It was not because you did not want to hear him, that is right.

Mr. KUNZIG. The question as to whether the matter can be heard by this committee has been taken up with the Parliamentarian and they are in full accord that the witness can be heard.

Of course, what is done by the district court is completely up to the Attorney General.

Mr. WALTER. It may be for them to decide, but I think we should express our views as to what decisions we will take on this matter.

Mr. CLARDY. If the witness fully cooperates with the committee, I think we should take that into account and make an appropriate recommendation.

Mr. VELDE. Certainly. Any Member of Congress or this committee has a right to express his own personal views regarding the witness to the Attorney General or to anyone else who wants to.

Mr. VELDE. The witness may be seated.

Mr. KUNZIG. Thank you, Mr. Chairman.

Mr. KUNZIG. Would you give your full name, please, sir?

TESTIMONY OF FRANCIS XAVIER THOMAS CROWLEY

Mr. CROWLEY. Francis Xavier Thomas Crowley.

Mr. KUNZIG. What is your present address?

Mr. CROWLEY. 226 Second Avenue, New York City.

Mr. KUNZIG. Mr. Crowley, I see that you are not accompanied by counsel. You know that, of course, under the rules of this committee, you have the right to be so accompanied?

Mr. CROWLEY. Yes; I know that.

Mr. KUNZIG. You were present in the room previously when I made a brief opening statement. Is it correct that you are testifying here voluntarily today, at your own request?

Mr. CROWLEY. Yes.

Mr. KUNZIG. Would you give us a brief résumé of your educational background?

Mr. CROWLEY. Well, I graduated from St. Thomas the Apostle Parochial School in about 1940 and from Brooklyn Technical High School in 1943, and from the University of Michigan in August 1950.

I did some graduate work at night at Columbia and I attended a drafting course at Mechanics Institute.

That about covers it.

Mr. KUNZIG. Would you give the committee a brief résumé of your employment background, the major points, not just a few weeks employment, so to speak?

Mr. CROWLEY. For the past roughly 3 years, I have been working in New York, and now I am working as a draftsman for an architectural firm in New York.

Before that I held various short-length jobs. I was a salesman. I worked in summer camps. I had my own landscaping business when I was in high school, things like that.

Mr. KUNZIG. What is your present employment?

Mr. CROWLEY. As a draftsman for an architectural firm.

Mr. KUNZIG. In New York City?

Mr. CROWLEY. Yes.

Mr. KUNZIG. Mr. Crowley, where were you born and when?

Mr. CROWLEY. Woodhaven, Long Island, October 29, 1925.

Mr. KUNZIG. Would you spell the name of the town, please?

Mr. CROWLEY. W-o-o-d-h-a-v-e-n.

Mr. KUNZIG. When were you in attendance at Columbia University?

Mr. CROWLEY. From January 1946 until about April 1947. That was my freshman year.

Mr. KUNZIG. While you were a student, did you join the Communist Party?

Mr. CROWLEY. Yes, not at Columbia.

Mr. KUNZIG. You mean off campus?

Mr. CROWLEY. Yes.

Mr. KUNZIG. Would you describe how you became a member of the Communist Party and what led you to become a member?

Mr. CROWLEY. Through some social acquaintances that I made after I got out of the Army, and one of those persons brought me into the party.

The reason I joined, I cannot think too clearly about that, but I know that it was because I was looking for some kind of a faith or an ideology. I lost my own and I was sort of floundering around and I hooked onto that and it buoyed me up.

Mr. KUNZIG. Who got you to join?

Mr. CROWLEY. A woman named Ann Saymour.

Mr. KUNZIG. Was she a resident of New York?

Mr. CROWLEY. Yes.

Mr. KUNZIG. Can you give any further identification of Ann Saymour?

Mr. CROWLEY. No, I haven't seen her since 1946.

Mr. CLARDY. Was she about your own age?

Mr. CROWLEY. Yes, a few years older.

Mr. KUNZIG. You knew her to be a member of the Communist Party?

Mr. CROWLEY. Yes.

Mr. KUNZIG. What group were you brought into in the party, what cell?

Mr. CROWLEY. A group on the upper west side in Manhattan, about 99th or 100th Street.

Mr. KUNZIG. Ninety-ninth and what?

Mr. CROWLEY. And 100th Street, between Amsterdam or Columbus Avenue.

Mr. KUNZIG. Did this group have a name?

Mr. CROWLEY. Yes, the Connolly Club.

Mr. KUNZIG. What sort of things took place at this Connolly Club?

Mr. CROWLEY. Well, my activities were sort of Johnny Higgins work, selling the Daily Worker or circulating election petitions, and distributing circulars. That about covers it.

Mr. JACKSON. Communist Party election petitions?

Mr. CROWLEY. I do not recall whether they were all Communist Party election petitions or whether they were for other candidates, but they were circulated through the club.

Mr. VELDE. What year was this again, Mr. Crowley?

Mr. CROWLEY. 1946 to the early part of 1947.

Mr. CLARDY. Were you of voting age at that time?

Mr. CROWLEY. No, I know I did not vote. I am 28 now. I was just about 21.

Mr. SCHERER. If these were not Communist Party petitions, they were petitions for other parties whom the Communist Party had designated to be supported; is that right?

Mr. CROWLEY. Yes.

Mr. CLARDY. May I inquire on that point, Mr. Chairman?

Mr. VELDE. Mr. Clardy.

Mr. CLARDY. Can you give us the name of the party?

Mr. CROWLEY. Well, I think it was the American Labor Party.

Mr. CLARDY. That was the one I had in mind. Was there a Liberal Party?

Mr. CROWLEY. Yes, but we did not circulate their petitions, to my knowledge.

Mr. CLARDY. Primarily, the American Labor Party?

Mr. CROWLEY. Yes.

Mr. CLARDY. Thank you, Mr. Chairman.

Mr. KUNZIG. You circulated the petitions of the American Labor Party as a member of the Communist Party yourself?

Mr. CROWLEY. Yes.

Mr. KUNZIG. That was, of course, as you have specified, under specific directions and instructions of the Communist Party so to do?

Mr. CROWLEY. Yes.

Mr. KUNZIG. Is there anything else, any other activity that took place during the brief period of time that you were in New York as a member of the party?

Mr. CROWLEY. Well, there were rallies of various sorts, political rallies. I think there was one in Madison Square Garden for some purpose, but I cannot remember now what the occasions were. They were political rallies that were sponsored either by the Communist Party or by other groups that I attended.

Mr. KUNZIG. One of the questions on which you were cited for contempt was the question: "Have you ever at any time been a member of the Communist Party?"

That question, of course, you have now answer to me "Yes" and you started giving details about your membership.

Will you tell the committee—and I know you want an opportunity to tell the committee why you took the viewpoint that you took a year ago in 1953, or why you have supported that particular viewpoint and came back here today.

Mr. CROWLEY. Yes, I think I can do that pretty briefly.

I know that at that time I no longer believed in the entire movement and I had no sympathy with it, but my purpose in not testifying was

to protect other people who I thought might get in the same boat that I was in and might suffer a lot of damage, either socially or economically because of my testimony, and also I was a little bit footloose at the time.

Mr. CLARDY. May I inquire, Mr. Chairman?

Mr. VELDE. Yes, Mr. Clardy.

Mr. CLARDY. By that, are you trying to tell us that there was not remaining any vestige of the ideological conviction that you had had?

Mr. CROWLEY. Yes, sir; none.

Mr. CLARDY. You had abandoned those convictions, is that right?

Mr. CROWLEY. That is right.

Mr. CLARDY. And at that time, you were motivated entirely by the things you just mentioned?

Mr. CROWLEY. Yes.

Mr. CLARDY. You were no longer in sympathy with the objectives and the purposes of the Communist Party?

Mr. CROWLEY. Not at all.

Mr. JACKSON. Mr. Chairman, may I ask a question?

Mr. VELDE. Mr. Jackson.

Mr. JACKSON. You say you were hesitant to give your testimony previously because of the fact that you might involve other persons?

Mr. CROWLEY. Yes.

Mr. JACKSON. Do you know whether or not any of those other individuals have since left the Communist Party and are no longer a part of that organization?

Mr. CROWLEY. No, not that I know of. I took it upon myself.

Mr. JACKSON. In spite of the fact that you did not know at that time whether or not these people were still a part of the Communist Party apparatus?

Mr. CROWLEY. No, I did not know that.

Mr. JACKSON. One more question which I think should go into the record at this time: Have you ever been offered any immunity, any promise or reward by any member of the staff in connection with your appearance here today?

Mr. CROWLEY. No, none whatsoever. I am here on my own.

Mr. VELDE. And you have not been offered any immunity from prosecution by any member of the committee itself, we sitting up here?

Mr. CROWLEY. No, sir.

Mr. CLARDY. Is it fair to say that your own conscience and your own love for your country may have prompted you to come forward?

Mr. CROWLEY. Yes, that is the reason.

Mr. SCHERER. It might have been a little fear of the results of the citation that prompted him, too.

Mr. CROWLEY. Well, I can answer that if I may.

Mr. KUNZIG. Go right ahead.

Mr. CROWLEY. Because I see no reason for my suffering a penalty for something that I no longer believe in. I see no reason for suffering as a scapegoat for something I do not believe in.

Mr. SCHERER. Would you have come back if this committee had not cited you for contempt?

Mr. CROWLEY. I believe I would.

Mr. SCHERER. You are not sure of that?

Mr. CROWLEY. I believe I would, sir.

Mr. SCHERER. It was not until after you were cited for contempt and faced a penalty, however, that you made up your mind to come back.

Mr. CROWLEY. That is right.

Mr. KUNZIG. In regard to the statement you made about not wishing to name others, I think the record should be clear that you did not answer any questions, even about yourself, a year ago.

Mr. CROWLEY. That is right.

Mr. KUNZIG. I believe you said, "It would be cowardice to answer any questions about my past life to anyone that I did not want to."

Mr. CROWLEY. Yes, sir.

Mr. KUNZIG. And then you just said that you wouldn't answer.

Mr. CROWLEY. Yes.

Mr. KUNZIG. But today you are here to give the full answers and I want to ask you whether your actions a year ago were based on your own convictions or whether you did not at that time talk to anyone?

Mr. CROWLEY. I had been going to a few people at that time. I spoke to a lawyer and he told me that I could cite the fifth amendment. That was the only legal way I could refuse to answer and I did not want to do that, and I did not take his advice and I did not retain him as counsel. That was the reason why I came down without a lawyer. I was working on a construction job renovating a church and I met the priest of the church and I talked with him and he told me the only thing to do would be to come down and testify.

Mr. KUNZIG. That was a year ago?

Mr. CROWLEY. Yes; that was his advice and I did not follow that because I told him what I told you; I did not want to involve other people.

Mr. KUNZIG. Where did you move to when you left New York City?

Mr. CROWLEY. To Boston.

Mr. KUNZIG. When was that?

Mr. CROWLEY. In 1947, the spring of 1947.

Mr. KUNZIG. Did your Communist Party activities move along with you?

Mr. CROWLEY. They did move with me, but almost by accident.

Mr. KUNZIG. Explain that, will you?

Mr. CROWLEY. Yes: I moved to Boston. I quit school in the middle of the term and I was unable to do the work and I was looking for something else to do, somewhere to go, and I moved to Boston because I knew someone there who had been in the Army with me and I thought I could, you know, get a better start on things and a transfer was given to me to Boston.

When I arrived in Boston, a Communist Party transfer—when I arrived in Boston I waited sometime before I had contact with the Communist Party.

Mr. KUNZIG. Will you tell the committee just what you mean by Communist Party transfer? How does that work?

Mr. CROWLEY. At that time, as I recall, I received a letter or a card, I think it probably was a card, to present in Boston when I arrived and I do not remember exactly what it was, but it was something of that nature.

Mr. KUNZIG. Did you present that card when you arrived in Boston?

Mr. CROWLEY. I did eventually.

Mr. KUNZIG. To what, the Communist Party up there?

Mr. CROWLEY. Yes. No, not to the Communist Party. To someone who told me that they would handle the transfer for me and get me into the Communist Party in Boston.

Mr. KUNZIG. Do you remember who that someone was?

Mr. CROWLEY. No, I cannot recall that name now, I am sorry.

Mr. KUNZIG. What activities did you get into as a member of the Communist Party in Boston?

Mr. CROWLEY. They were almost the same as the activities I had in New York. There was electioneering. I think that was for the—there was the Wallace movement starting then and I did quite a bit of work on that, either collecting signatures to have the third party nominated, or passing out handbills, and I also worked as a clerk-typist for the National Council of American-Soviet Friendship.

Mr. CLARDY. The what?

Mr. CROWLEY. The National Council of American-Soviet Friendship.

Mr. CLARDY. All at the direction of the Communist Party leader governing your cell?

Mr. CROWLEY. Yes, this was controlled by them.

Mr. KUNZIG. Any activities you had for the Wallace movement was done at the request of the Communist Party?

Mr. CROWLEY. Yes.

Mr. KUNZIG. To the best of your recollection, Mr. Crowley, when did this Wallace movement begin in Boston?

Mr. CROWLEY. I do not recall. I think it might have been there when I arrived.

Mr. KUNZIG. When was that?

Mr. CROWLEY. In 1947. When I joined it, it already was a going concern, so to speak.

Mr. KUNZIG. Did you ever circulate Communist Party petitions in Springfield, Mass.?

Mr. CROWLEY. Yes; I did.

Mr. KUNZIG. Would you tell the committee about that?

Mr. CROWLEY. That was for two or three days I circulated a petition for the election, for the nomination of Sidney Lippman or Lipsher,¹ who was running for an office in Springfield on the Communist Party ballot.

Mr. KUNZIG. You do not remember the name more definitely than Lippman or Lipsher?

Mr. CROWLEY. No.

Mr. CLARDY. Was he running for a municipal office?

Mr. CROWLEY. Yes, in the city of Springfield.

Mr. KUNZIG. While in Boston, what Communist Party group were you assigned to, if any?

Mr. CROWLEY. I was in the West End group.

Mr. KUNZIG. That I believe also, Mr. Crowley, was one of the questions for which you were cited:

When you were in Boston, Mass., were you a member of the West End group of the Communist Party? Have you ever been associated with any members of the West End group of the Communist Party of Boston?

¹ Information in the files of the committee indicates correct spelling of name to be Sidney Lipshires.

That was one of the questions you refused to answer.

Mr. CROWLEY. Yes.

Mr. KUNZIG. You say now you were a member of the West End group?

Mr. CROWLEY. Yes.

Mr. KUNZIG. Tell us now how you got into the group and what you did in the group.

Mr. CROWLEY. I got in and the group took the transfer which I had from New York City. I eventually made contact with someone. I think it might have been someone working in one of the other organizations that were there, either the Wallace movement or the National Council of American-Soviet Friendship, and then I got into the group that way and began activities.

Mr. KUNZIG. Can you recall any of the members of the Communist Party whom you knew to be members of the Communist Party during your time in Boston?

Mr. CROWLEY. Yes, I can recall a few. There was Otis Hood, I remember.

Mr. KUNZIG. How do you spell that man's name?

Mr. CROWLEY. H-o-o-d. He ran for office in Boston for the school board or the school committee, and I campaigned for him in the city of Boston with election petitions.

Then there were leaders I knew. I just knew them as being leaders, Daniel Boone Schirmer.

Mr. KUNZIG. What was his position in the West End group?

Mr. CROWLEY. He was not in the West End group. He attended a few meetings and conducted discussions on various themes, political topics. He was an officer of the party in Boston, Mass.

Mr. KUNZIG. And you knew Otis Hood and Daniel Boone Schirmer to be members of the Communist Party?

Mr. CROWLEY. Yes.

Mr. KUNZIG. Is there any way you can identify them more clearly than that, either by their ages or anything of that nature?

Mr. CROWLEY. Daniel Boone Schirmer I would say was about 30 years old at that time, and Otis Hood was an older man. He was in his forties or fifties; about 50, I would say.

Mr. CLARDY. Were any of those candidates successful?

Mr. CROWLEY. No, I do not think so.

Mr. CLARDY. They did not then acquire these official positions?

Mr. CROWLEY. No, they did not.

Mr. KUNZIG. When did you leave Boston?

Mr. CROWLEY. Well, about August or September of 1947, that same summer, the same year.

Mr. KUNZIG. Where did you move to?

Mr. CROWLEY. I went to Michigan.

Mr. KUNZIG. What city?

Mr. CROWLEY. To Ann Arbor, Mich., with the intention of going back to school. I had not been going to school that year.

Mr. CLARDY. The University of Michigan at Ann Arbor?

Mr. CROWLEY. The University of Michigan.

Mr. CLARDY. Did you enroll as a student?

Mr. CROWLEY. Yes, I got a transfer from Columbia and was accepted.

Mr. KUNZIG. In what college?

Mr. CLARDY. Arts, literature, and science?

Mr. KUNZIG. Commonly called the lit school on the campus?

Mr. CROWLEY. Yes.

Mr. CLARDY. That is my school, by the way.

Mr. KUNZIG. When you went to Michigan, did you stay there until you graduated?

Mr. CROWLEY. Yes.

Mr. KUNZIG. When did you graduate?

Mr. CROWLEY. In August 1950.

Mr. KUNZIG. During that period of time did you live at Ann Arbor?

Mr. CROWLEY. Yes, all the time.

Mr. KUNZIG. So the period of time that we are now talking about at Michigan was from the end of 1947 up until 1950?

Mr. CROWLEY. Yes.

Mr. KUNZIG. Was your Communist Party membership transferred again, this time from Boston to Ann Arbor?

Mr. CROWLEY. Yes, it was.

Mr. KUNZIG. Did you have to ask about that or did they transfer automatically?

Mr. CROWLEY. They transferred me automatically.

Mr. CLARDY. Who do you mean by "they"?

Mr. CROWLEY. The Communist Party in Boston sent me a transfer out to Michigan, as I recall, and I do not remember now to whom they sent it, but I know I was contacted some time after I arrived there.

Mr. KUNZIG. Which of the cells, the Ralph Neafus?

Mr. CROWLEY. Yes, the student group.

Mr. SCHERRER. You left Michigan when?

Mr. CROWLEY. August of 1950.

Mr. KUNZIG. I think the record should show that Bereniece Baldwin, who testified before this committee and who kept the records at that time of the Communist Party, had the record, as testified to by this witness, of his transfer from Boston to Ann Arbor, Mich.

Mr. CROWLEY, as a matter of interest, how long did it take for the Communist Party to approach you when you got to Ann Arbor? Did they get to you pretty quickly, if you recall?

Mr. CROWLEY. It was some time before I started school in February 1948, January 1948. It was sometime during the fall of 1947, I cannot recall exactly when.

Mr. KUNZIG. The transfer was dated October 1947.

Mr. CROWLEY. October? Well, then, it was given after I left Boston. It was sent out afterward.

Mr. KUNZIG. What group did they put you in or did you get in out at Ann Arbor?

Mr. CROWLEY. The Ralph Neafus, spelled N-e-a-f-u-s or N-e-a-p-h-u-s, I do not recall.

Mr. KUNZIG. The Ralph Neafus in Ann Arbor, Mich.

Mr. CROWLEY. Yes, that is right.

Mr. KUNZIG. Was that comprised of students of the university?

Mr. CROWLEY. Students in the University of Michigan.

Mr. KUNZIG. Undergraduates or graduates?

Mr. CROWLEY. Undergraduates.

Mr. CLARDY. Where was its headquarters in Ann Arbor?

Mr. CROWLEY. The headquarters—it had no central headquarters. The meetings were held at various places, various residences of different students. Some were married and they had apartments.

Mr. CLARDY. Didn't they have some place for a regular meeting place?

Mr. CROWLEY. There was a chairman of the group, Ernest Ellis. His house was more or less the central focal point of the group there.

Mr. CLARDY. Where was that located, what street?

Mr. CROWLEY. I do not remember that. It was a good walk from the campus, I think.

Mr. CLARDY.. Which direction, toward Ferry Field?

Mr. CROWLEY. I think going toward the arboretum, on that side of the campus, but I don't know whether it was north or south of the campus.

Mr. VELDE. Can you tell the committee how it happened to be named the Ralph Neafus group?

Mr. CROWLEY. Let me see, yes, I think Ralph Neafus was a young man from some time back or a socialist who had done something to gain himself recognition or fame.

Mr. VELDE. I am informed by our investigator that he was a member of the Abraham Lincoln Brigade during the Spanish Civil War.

Mr. CROWLEY. I forgot that.

Mr. VELDE. You recall there were a number of so-called heroes of that war, and I understand that Ralph Neafus was killed in that action.

Mr. KUNZIG. You mentioned Ernest Ellis. Who was he?

Mr. CROWLEY. He was the chairman of the group.

Mr. KUNZIG. Of the Ralph Neafus group?

Mr. CROWLEY. Yes.

Mr. KUNZIG. And you knew him as a member of the Communist Party?

Mr. CROWLEY. Yes, he was an open Communist on the campus there. He was known to be a Communist.

Mr. KUNZIG. In these various names that you are going to tell the committee about, I want to be sure that you understand that we are interested in only those people whom you knew to be members of the Communist Party, not those whom you suspected or thought, but those whom you knew to be members of the Communist Party.

Mr. CROWLEY. Yes.

Mr. KUNZIG. Can you tell us any of the other members of the Ralph Neafus group?

Mr. CROWLEY. There was a Bill Carter who was also an open Communist on the campus.

Mr. KUNZIG. Was he also at one time chairman of the Ralph Neafus group?

Mr. CROWLEY. Yes, I think he was for a short time.

Mr. CLARDY. May I inquire?

Mr. VELDE. Mr. Clardy.

Mr. CLARDY. This organization was a secret organization, was it not?

Mr. CROWLEY. Not completely, no.

Mr. CLARDY. Was it registered in any way with the university authorities?

Mr. CROWLEY. Oh, no, it was not registered.

Mr. CLARDY. The reason I asked that was you mentioned two who were known openly as members of the party.

Mr. CROWLEY. Yes.

Mr. CLARDY. All of the members of the Ralph Neafus group, including yourself, did not want that identification to become public?

Mr. CROWLEY. That is right.

Mr. CLARDY. You kept it concealed?

Mr. CROWLEY. Yes, that is right.

Mr. CLARDY. And your meetings were secret? You conducted them in a way that you did not attract attention?

Mr. CROWLEY. Yes, for the most part. If I could add something—

Mr. CLARDY. Proceed.

Mr. CROWLEY. There were open meetings at which the Ralph Neafus group invited anyone who wanted to attend to, you know, attend the meeting and sort of talk on current events.

Mr. CLARDY. But without identifying it as a Communist Party meeting, is that not true?

Mr. CROWLEY. No, at times it was known to be—no, not identifying it as a Communist Party meeting, that is right.

Mr. CLARDY. They identified it more or less as a meeting of liberals and progressives and all the other words the Communists ordinarily use?

Mr. CROWLEY. Yes, study group.

Mr. CLARDY. Trying to suck in as many as they could discover as to who would be vulnerable to further Communist Party indoctrination?

Mr. CROWLEY. Yes.

Mr. KUNZIG. You mentioned Bill Carter. Can you give us Bill Carter's full name?

Mr. CROWLEY. Just Bill Carter. I guess William Carter. I don't know if he had any other initials.

Mr. KUNZIG. Are there any other members of the Ralph Neafus group that you can recall?

Mr. CROWLEY. Yes, there was another person who served as a chairman at the meeting for a while. Now, what is his name? I'm trying to think of it. Marvin Gladstone.

Mr. KUNZIG. Marvin Gladstone?

Mr. CLARDY. Do you know whether or not he is now a member of it or, rather, do you know where he is now?

Mr. CROWLEY. No, I don't know.

Mr. KUNZIG. I think the record should show, Mr. Chairman, that a Marvin Gladstone was also identified by Bereniece Baldwin as chairman of the Washtenaw section of the Communist Party. That identification by Bereniece Baldwin was in 1952. You knew him as the chairman of the Ralph Neafus group?

Mr. CROWLEY. That is right.

Mr. KUNZIG. Is there any other information you can give us about him?

Mr. CROWLEY. No. He was married and was a student there. There is not much else I can say.

Mr. CLARDY. Was he married at that time?

Mr. CROWLEY. Yes, I knew him.

Mr. CLARDY. Was his wife's name, first name Evelyn?

Mr. CROWLEY. I believe it was; I cannot swear to that.

Mr. CLARDY. We had such a person under subpoena out in Michigan. Was she a member of that same group?

Mr. CROWLEY. Yes.

Mr. KUNZIG. And you knew her to be a member of the Communist Party?

Mr. CROWLEY. The Neafus group.

Mr. KUNZIG. Of the Communist Party?

Mr. CROWLEY. Yes.

Mr. KUNZIG. If you will search your memory, will you please give us any other names of people whom you can recall who were members of the Ralph Neafus group with you?

Mr. CROWLEY. There was a Roosevelt Ward.

Mr. KUNZIG. Roosevelt Ward. You knew him to be a member of the Ralph Neafus group?

Mr. CROWLEY. Yes.

Mr. KUNZIG. Was he a student, as you were?

Mr. CROWLEY. Yes.

Mr. KUNZIG. All these were students; is that right?

Mr. CROWLEY. I think Ward was a part-time student. I do not recall if he was a full-time student.

Mr. KUNZIG. I think the record should show that Roosevelt Ward was cited as a leader of the Labor Youth League and was indicted under the national draft law but was not convicted.

You knew him to be a member of the Communist Party?

Mr. CROWLEY. Yes.

Mr. KUNZIG. Of your own personal knowledge?

Mr. CROWLEY. Yes, I attended meetings with him.

Mr. KUNZIG. Any other members of the Ralph Neafus group?

Mr. CROWLEY. Yes, there was a Millicent or a Mildred Federbush.

Mr. KUNZIG. Mildred Federbush?

Mr. CROWLEY. Or Millicent.

Mr. KUNZIG. I believe the correct name is Mildred Federbush. And you knew Mildred Federbush to be a member of the Ralph Neafus group?

Mr. CROWLEY. Yes, she attended meetings there.

Mr. KUNZIG. Did you know Edward Yellin?

Mr. CROWLEY. Yes, he was also a member of the Ralph Neafus group.

Mr. KUNZIG. Of the Communist Party?

Mr. CROWLEY. Yes; and Edward Shaffer. He was also a Communist on the campus, an open Communist, I think he was at that time.

Mr. CLARDY. There is no doubt about Mr. Shaffer being a member of the Communist Party?

Mr. CROWLEY. No, he was there. That is the only basis of evidence for saying that. In fact, we can have any person attending the meeting.

Mr. CLARDY. He was one of the fifth amendment witnesses we had in Michigan recently.

Mr. JACKSON. Mr. Chairman.

Mr. VELDE. Mr. Jackson.

Mr. JACKSON. May I make the point that we do not need to unduly labor the point as to whether the witness knows these to be members

of the Communist Party. One criteria for attendance at a closed meeting with other members—you understand that is one of the criteria.

Mr. CROWLEY. Yes.

Mr. VELDE. I am glad that the gentleman made that statement with respect to the criteria for determining whether a person is a member of the Communist Party or was a member of the Communist Party, because we know that the Communists no longer identify each other by cards, and no longer carry identification cards. We can be fairly certain, however, that if they attend closed meetings, they certainly must have been members of the Communist Party.

If I understood you, you said that this man, this person you have last mentioned, was an open Communist. Can you explain that a little more fully, please?

Mr. CROWLEY. Yes. To my recollection he made it known publicly—or perhaps I am confusing him with the other open Communist I mentioned, William Carter, but Shaffer certainly was very active on the campus and openly so, and there was no doubt in anyone's mind that he was a Communist.

Mr. JACKSON. Open or secret, you knew him to be a member of the Communist Party?

Mr. CROWLEY. Yes.

Mr. VELDE. What period of time was this?

Mr. CROWLEY. The period I was there from 1947 and 1948 through 1950. I was actually enrolled as student from 1948 on.

Mr. CLARDY. I think we had better spell his last name. It isn't the customary way it sounds.

Mr. CROWLEY. No.

Mr. CLARDY. Was it S-h-a-f-f-e-r?

Mr. CROWLEY. It might have been.

Mr. CLARDY. That is the way it appeared under his subpoena. Where did he live?

Mr. CROWLEY. I don't know the name of the street. It was almost at an intersection of State Street and another street I cannot recall.

Mr. CLARDY. South of State Street?

Mr. CROWLEY. Yes.

Mr. CLARDY. Down Packard?

Mr. CROWLEY. Yes; down Packard, almost at State.

Mr. KUNZIG. Mr. Crowley, are there any other members of the Ralph Neafus group whom you recall?

Mr. CROWLEY. Yes, I can recall them. My mind is a little confused right now. Let me think a moment.

There was a Jean Fagan.

Mr. KUNZIG. J-e-a-n?

Mr. CROWLEY. That is right.

Mr. CLARDY. Where did she come from?

Mr. CROWLEY. From Michigan; some town in Michigan.

Mr. CLARDY. Was it East Lansing?

Mr. CROWLEY. Yes, I believe it was; Lansing or East Lansing.

Mr. CLARDY. Do you recall the first name of either of her parents?

Mr. CROWLEY. No, I never met the family.

Mr. CLARDY. You wouldn't recognize it if I mentioned it?

Mr. CROWLEY. No, not the parents. I knew she had 1 or 2 sisters, but I did not know them as persons.

Mr. CLARDY. Do you know where she may be now?

Mr. CROWLEY. No, I have no idea.

Mr. KUNZIG. Do you know John and Betty Houston?

Mr. CROWLEY. Yes, I did know them.

Mr. KUNZIG. Were they husband and wife?

Mr. CROWLEY. Yes.

Mr. KUNZIG. Were John and Betty Houston members of the Ralph Neafus group?

Mr. CROWLEY. Yes.

Mr. KUNZIG. How about Calvin and Alvin Lippett?

Mr. CROWLEY. Yes, I think. I cannot swear to both of them. I know one was and they looked alike.

Mr. KUNZIG. And you never knew whether it was Cal or Al?

Mr. CROWLEY. I could not swear to that.

Mr. KUNZIG. But at least one of them was a member?

Mr. CROWLEY. They both may have been.

Mr. KUNZIG. Did you ever see the two of them at one time at a meeting?

Mr. CROWLEY. No, not at a meeting. I saw them together.

Mr. CLARDY. Did you ever have conversation with either or both of them outside of these meetings?

Mr. CROWLEY. Yes, I think I did, just in the course of being on the campus with them.

Mr. CLARDY. But you were not able to tell Al from Cal?

Mr. CROWLEY. It was hard, it was very hard.

Mr. KUNZIG. How about George Sarver?

Mr. CROWLEY. Yes, for a time he was. I believe he dropped out. As I recall, he did.

Mr. KUNZIG. During the time you were there you knew him to be a member of the Communist Party?

Mr. CROWLEY. Yes.

Mr. KUNZIG. Can you give us any further identification of George Sarver; his age, address, or where he came from?

Mr. CROWLEY. He was in his early twenties. He came from maybe Detroit, and that is about all I can say. He was a student there.

Mr. KUNZIG. Any other member of Ralph Neafus? Suppose I refresh your memory with some names.

How about Patricia Fiske Ellis?

Mr. CROWLEY. Yes, Ernie and Patricia. She was Ernie Ellis' wife.

Mr. KUNZIG. And you knew her to be a member of the Ralph Neafus group?

Mr. CROWLEY. Yes.

Mr. KUNZIG. I am just taking the Ralph Neafus people. How about Jeanne Tozer?

Mr. CROWLEY. Yes, I recall her. She was a member.

Mr. KUNZIG. Do you know where she came from or any other identification?

Mr. CROWLEY. No.

Mr. KUNZIG. Just that she was a student there also in Ralph Neafus.

Mr. CROWLEY. Yes.

Mr. KUNZIG. How about Roselva Rushton Goodman?

Mr. CROWLEY. Yes, she was in the Neafus group, yes.

Mr. KUNZIG. Was she married?

Mr. CROWLEY. Yes, I forget her husband's name. I remember him. He was there also.

Mr. KUNZIG. Would it have been Kenneth Goodman?

Mr. CROWLEY. Kenneth or Leonard. It was Lemmie or Kenny.

Mr. KUNZIG. Kenneth Goodman, and he was Roselva Rushton Goodman's husband, and you knew both of them as members of Ralph Neafus?

Mr. CROWLEY. Yes.

Mr. KUNZIG. Can you identify them any further as to their address or ages?

Mr. CROWLEY. No. They were both students. I don't remember their address.

Mr. KUNZIG. Jack Alexander Lucas?

Mr. CROWLEY. Yes, he was there at the time. I don't know if he was there all the time I was there.

Mr. KUNZIG. But you knew Jack Alexander Lucas definitely to be a member of the Communist Party?

Mr. CROWLEY. Yes.

Mr. KUNZIG. Jack Gore?

Mr. CROWLEY. I remember Jack but I do not recall if he was a member of Neafus. I had seen him. I saw him only a few times. I do not remember him attending a meeting as a member of Neafus.

Mr. KUNZIG. Did you know him as a member of the Communist Party?

Mr. CROWLEY. No, not from being in a Communist Party meeting.

Mr. KUNZIG. Was he a student in the University of Michigan?

Mr. CROWLEY. I do not think he was when I was there. I think he was living somewhere else, maybe in Detroit or Ypsilanti, or something like that.

Mr. VELDE. The Ralph Neafus group was not composed entirely of students; is that right?

Mr. CROWLEY. I cannot remember anyone now who was not a student that I could swear to. I cannot remember.

Mr. KUNZIG. I think the record should show, Mr. Chairman, that other testimony before this committee has identified Jack Gore as having been a member of the Communist Party as first chairman of the Labor Youth League of Michigan and as a member of the Young Communists of Michigan.

Your testimony is that you knew Jack Gore but you do not recall his having attended meetings with you?

Mr. CROWLEY. Yes.

Mr. VELDE. At that time there was a Labor Youth League organization on the campus of the University of Michigan?

Mr. CROWLEY. Yes, there was.

Mr. VELDE. But that was separate and distinct from the Ralph Neafus group?

Mr. CROWLEY. Yes.

Mr. VELDE. Mr. Clardy.

Mr. CLARDY. Was there not some common membership, some people belonging to both?

Mr. CROWLEY. Yes; as a matter of fact, I think I belonged to the Labor Youth League, too.

Mr. CLARDY. Who was the head of it at that time?

Mr. CROWLEY. I think it was Eddie Shaffer.

Mr. CLARDY. Do you know who succeeded him?

Mr. CROWLEY. No.

Mr. CLARDY. Did you ever hear the name Baxter?

Mr. CROWLEY. No.

Mr. JACKSON. May I inquire, Mr. Chairman?

Mr. VELDE. Mr. Jackson.

Mr. JACKSON. May I inquire as to whether or not there is still on the campus of the University of Michigan a labor youth group?

Mr. CLARDY. The testimony that we took in Michigan indicates that it was not entirely dead and there's a man by the name of Sharpe who heads it up.

Had you ever heard about Mr. Sharpe?

Mr. CROWLEY. No, I do not remember that name.

Mr. VELDE. Did you ever know anyone in the labor youth group who was not a member of the Communist Party?

Mr. CROWLEY. There were, I think there certainly were members of the Labor Youth League who were not members of the Communist Party who were in it for some other reason. There certainly were, because I am sure that the membership must have been bigger than that of the Ralph Neafus group.

Mr. VELDE. How about the officers of the Labor Youth League?

Mr. CROWLEY. Well, Shaffer was an officer and I believe Eddie Yellin was. They were both Communists.

Mr. VELDE. I think the record should show that the Labor Youth League has been cited as a Communist organization by the Attorney General of the United States and I think by this committee. It has been mentioned several times as a Communist organization.

Mr. JACKSON. May the record show that the witness Barbara Hartle, during the Seattle, Wash., hearing, testified that out of her personal knowledge in Cain County and the Pacific Northwest generally that the Labor Youth League was controlled and dominated by the Communist Party in that area.

Mr. VELDE. Yes, I think there is considerable other testimony to show that the Labor Youth League is a part and parcel of the Communist plan to take over the world.

Mr. CLARDY. It originated with them.

Mr. VELDE. And that the Labor Youth League is a successor to the Young Communist League and the American Youth for Democracy.

Mr. KUNZIG. Did you ever know a Freda Perez?

Mr. CROWLEY. No, I do not recall her being in the Neafus group.

Mr. KUNZIG. Did you know her in the Haldane group?

Mr. CROWLEY. Yes, I remember her but I cannot swear that she was a member of the Haldane group. I remember seeing her but I do not know whether she was or not.

Mr. KUNZIG. Seeing her at meetings of what?

Mr. CROWLEY. Of the Haldane group.

Mr. KUNZIG. You don't know whether she was at closed Communist Party meetings?

Mr. CROWLEY. No, I do not recall that.

Mr. KUNZIG. Did she later become Mrs. Beberfall?

Mr. CROWLEY. Yes.

Mr. CLARDY. I want to ask one further question. You named a great many and you probably will think of some more. Wasn't the membership in the Ralph Neafus Club a changing one as students came into the institution and went out so that the total was rather staggeringly large over a period of time?

Mr. CROWLEY. Yes, someone said it was like a revolving door.

Mr. CLARDY. I have heard that phrase before. So, while you have named and are naming as many as you can recall, it evidently had a great many more students in it than those that you have or will name.

Mr. CROWLEY. Yes.

Mr. CLARDY. It was interesting itself in pretty nearly every campus activity that went on in an effort to influence the resolutions and influence the actions of those other groups, was it not?

Mr. CROWLEY. Yes, it had a great deal of influence because a lot of the people went into other organizations.

Mr. CLARDY. Didn't it also have an organized campaign of writing letters to the editor of the Michigan Daily on the hot issues before you?

Mr. CROWLEY. Yes, I wrote some myself.

Mr. CLARDY. So that they were using every method that Communists could devise to influence the student body opinion in the direction of the Communist movement.

Mr. CROWLEY. Yes.

Mr. WALTER. Where was the headquarters of the Labor Youth League?

Mr. CROWLEY. That I don't know. It is in New York City, I believe.

Mr. WALTER. Do you know who the head of it is?

Mr. CROWLEY. No, I do not.

Mr. WALTER. The principal officers?

Mr. CROWLEY. No.

Mr. WALTER. Do you know any of the national officers?

Mr. CROWLEY. No, not to my knowledge.

Mr. WALTER. Is this man Ward you mentioned a moment ago an officer in the national organization?

Mr. CROWLEY. He may be. He was in the Labor Youth League when I knew him.

Mr. WALTER. But he was not located in Michigan. He came there to meetings?

Mr. CROWLEY. That is right.

Mr. VELDE. At this point the committee will be in recess for 10 minutes.

(Whereupon, at 11:33 a. m., an 8-minute recess was taken.)

Mr. VELDE. The committee will be in order.

Proceed, Mr. Counsel.

(Representative James B. Frazier, Jr., left the hearing room at this point.)

Mr. KUNZIG. Mr. Crowley, we were talking about the Ralph Neafus Club when we took a short break. Can you give us the benefit of your knowledge of any other people in the Ralph Neafus Club of the Communist Party who met with you?

Mr. CROWLEY. Yes; I can recall one fellow named Leon Brown. The fellow I recall was tall and heavy set, and I do not think it should

be confused with anyone else because Brown is quite a common name. I think I knew quite a few students on the campus named Brown.

Mr. CLARDY. Where did he hail from?

Mr. CROWLEY. From New York or Brooklyn, I believe.

Mr. KUNZIG. According to the records of the university, Mr. Chairman, Leon Brown was born on September 25, 1927, in New York City.

Can you think of any other members of the Ralph Neafus Club?

Mr. CROWLEY. Yes; there was a member from Tennessee or somewhere in the south named Al Milstein.

Mr. CLARDY. Born in Tennessee?

Mr. CROWLEY. I believe he was.

Mr. KUNZIG. Did he hold any office in the Ralph Neafus Club?

Mr. CROWLEY. He held some kind of an office. I forget what it was; either keeping the attendance record or treasurer, I forget what it was; I believe treasurer.

Mr. CLARDY. Do our files reflect a different birthplace for this Al Milstein? It runs in my mind that Tennessee is wrong.

Mr. KUNZIG. He is under subpoena and I believe he came to Michigan from Mississippi. I believe his name is Alfred Milstein.

Mr. CROWLEY. Yes.

Mr. KUNZIG. To continue the listing of these names of people from Ralph Neafus, would you give us any others you know?

Mr. CROWLEY. Well, for a time there was a member named Lee Salk. I believe he dropped out. He dropped out of Neafus, I think, while I was there.

Mr. CLARDY. Where was he from?

Mr. CROWLEY. He was from New York.

Mr. KUNZIG. Can you identify him in any further way?

Mr. CROWLEY. No, he was a psychology student there. I forget whether he had any job at the university.

Mr. CLARDY. He was not on the quiet side of a personality, was he, or what is the fact?

Mr. CROWLEY. No, Salk was a kind of a go-getter. He hustled around.

Mr. CLARDY. An enthusiastic party member.

Mr. CROWLEY. Yes, he was enthusiastic in general. He was just that way.

Mr. CLARDY. That is all I have on that point.

Mr. KUNZIG. Do you know a Joan Studer?

Mr. CROWLEY. Yes, I remember her.

Mr. KUNZIG. In Ralph Neafus?

Mr. CROWLEY. Yes.

Mr. KUNZIG. Any further identification of Joan Studer?

Mr. CROWLEY. No, I cannot identify her further.

Mr. KUNZIG. Do you know where she is today?

Mr. CROWLEY. No, I believe she came from the East, possibly New York.

Mr. JACKSON. What was her major?

Mr. CROWLEY. I cannot recall what she studied.

Mr. CLARDY. You knew her in the Lit College?

Mr. CROWLEY. Yes, in the Neafus Club.

Mr. KUNZIG. Any other Neafus Club members?

Mr. CROWLEY. There was a Bernard Poll, and I remember he told me he was a teaching fellow there. In fact, that is what he told everyone, a teaching fellow in the philosophy department.

Mr. KUNZIG. You knew him to be a member of Neafus?

Mr. CROWLEY. Yes, he certainly was a member.

Mr. KUNZIG. Any others, Mr. Crowley? We are still talking about Neafus.

Mr. CROWLEY. Yes; for a while there was a Bob Silk. I believe he dropped out. He left.

Mr. KUNZIG. Do you know whether his full name was Robert H. Silk?

Mr. CROWLEY. Robert.

Mr. KUNZIG. You don't know about the middle initial?

Mr. CROWLEY. No.

Mr. KUNZIG. Can you give us any further identification about him?

Mr. CROWLEY. I believe he was a law student at the time and he was married. I think he dropped out while I was still in Neafus, or he moved over or something like that.

Mr. KUNZIG. But you knew him definitely to be a member of the Communist Party at the time you were there at the University of Michigan?

Mr. CROWLEY. That is right.

Mr. KUNZIG. How about Hy Bershad?

Mr. CROWLEY. Yes, he was a member of the Neafus Club.

Mr. KUNZIG. Do you know his full name?

Mr. CROWLEY. No, Hy Bershad is as close as I can get to it.

Mr. KUNZIG. Would it have been Hyman Abe Bershad, or does that ring a bell?

Mr. CROWLEY. No.

Mr. KUNZIG. How about Ed Freeman?

Mr. CROWLEY. I remember the name but I cannot place the face, and so I cannot say definitely, but he was very active.

Mr. KUNZIG. In what?

Mr. CROWLEY. On the campus. He was in, I believe, the [Labor] Youth League.

Mr. KUNZIG. You said he was active on the campus. As I said, we are interested only in those who were members of the party. Are you saying that you don't know whether he was a member of the party?

Mr. CROWLEY. Yes; because I cannot remember his face.

Mr. CLARDY. I don't understand that question.

Mr. CROWLEY. I cannot remember him being at a party meeting. I don't know what his face looks like, but the name rings a bell in my mind.

Mr. CLARDY. You cannot remember whether he was or was not?

Mr. CROWLEY. Yes, he was; but I cannot remember his face.

Mr. JACKSON. Had you ever worked with Ed Freeman upon any Communist Party project?

Mr. CROWLEY. I do not remember. If he was in the Ralph Neafus Club, because we all worked together on those things, but I do not remember specifically that he and I worked on it.

Mr. KUNZIG. But you knew an Ed Freeman, even if you cannot place his face, to be a member of the Communist Party?

Mr. CROWLEY. Yes.

Mr. KUNZIG. Are there any other names that you can recall?

Mr. CROWLEY. Yes, there was Ed Pita.

Mr. KUNZIG. Would that be Edward Gerald Pita, or did you know him as Ed?

Mr. CROWLEY. I just knew him as Ed.

Mr. KUNZIG. You knew him as Ed Pita?

Mr. CROWLEY. Yes.

Mr. KUNZIG. You knew him to be in the Neafus group?

Mr. CROWLEY. Yes.

Mr. KUNZIG. Was he married?

Mr. CROWLEY. Yes; her name was Phyllis Pita.

Mr. KUNZIG. You knew her to be a member of the party, too?

Mr. CROWLEY. Yes, the Ralph Neafus Club.

Mr. CLARDY. Where did they come from?

Mr. CROWLEY. That I don't know.

Mr. KUNZIG. Did you know a James Terrell?

Mr. CROWLEY. Yes, Jim Terrell was a member of Neafus. He left. I believe he left the party and became a convert to a religious faith. I forget which. It might have been the Catholic church, but I know he left.

Mr. CLARDY. Did you say his first name was James?

Mr. CROWLEY. Yes, James.

Mr. KUNZIG. You have testified how you became a member of the Ralph Neafus Club and your activities there at the University of Michigan.

Did you at any time then transfer to any other club of the Communist Party?

Mr. CROWLEY. Yes, I did. Before I left there, I transferred to the Haldane Club, which was a group for graduate students.

Mr. KUNZIG. Did you request this or were you just put in automatically?

Mr. CROWLEY. No, I requested to leave the Neafus Club.

Mr. KUNZIG. Would you tell us why you transferred to go from Neafus to Haldane?

Mr. CROWLEY. Well, I knew one or two people there and I wanted to be in the club with them.

Mr. KUNZIG. And Haldane you say was composed of graduate students?

Mr. CROWLEY. Yes.

Mr. KUNZIG. Did it contain teaching fellows, for example, employed as instructors?

Mr. CROWLEY. Yes.

Mr. CLARDY. Students and teaching fellows?

Mr. CROWLEY. Yes.

Mr. VELDE. When was it that you were transferred to Haldane, Mr. Crowley?

Mr. CROWLEY. I believe that was early in 1950 or the end of 1949; early in 1950, to the best of my knowledge.

Mr. VELDE. That was prior to the Korean war?

Mr. CROWLEY. Yes.

Mr. KUNZIG. Do you know, in the Haldane Club, a man by the name of Norman Cazden?

Mr. CROWLEY. Yes, I believe he taught at the music school.

Mr. KUNZIG. At the University of Michigan?

Mr. CROWLEY. Yes.

Mr. KUNZIG. I believe that the record shows an assistant professor of music at the University of Michigan.

Mr. CROWLEY. Yes.

Mr. KUNZIG. And you knew him to be a member of the Haldane Club and, of course, of the Communist Party?

Mr. CROWLEY. Yes.

Mr. KUNZIG. I want to go back to some members of the Haldane Club in a few minutes.

Let us commence with your own experiences.

What sort of activities did the Haldane group engage in?

Mr. CROWLEY. They were chiefly of an intellectual nature discussing things. It was mainly a discussion group. There was very little of the activity of the kind that Neafus engaged in, that is, running around the campus with petitions or things like that.

Mr. KUNZIG. Was Haldane even more secret than this Neafus, would you say?

Mr. CROWLEY. Yes, it is smaller, and it is not as open as Neafus.

Mr. KUNZIG. How long did you stay a member of the party? Did you stay through your graduation in June 1950?

Mr. CROWLEY. Yes, then I left.

Mr. KUNZIG. And you left Michigan?

Mr. CROWLEY. Yes, and the party.

Mr. KUNZIG. And you left the party too?

Mr. CROWLEY. Yes.

Mr. KUNZIG. Where did you go after June of 1950?

Mr. CROWLEY. I came to New York City and lived there ever since.

Mr. KUNZIG. You did not affiliate with the Communist Party after you came back to New York?

Mr. CROWLEY. No, I had no connection with the party after I came back.

Mr. KUNZIG. Did you attend open Communist Party rallies after you came back to New York?

Mr. CROWLEY. Yes, I did. I attended a party meeting, a case involving Willie McGee, sponsored by the American Labor Party, and I attended 1 or 2 rallies. I cannot recall what they were for.

Mr. WALTER. Is this the movement for the relief of Willie McGee? Was that Communist-dominated?

Mr. CROWLEY. I don't know if it originated there, but in New York City it was led chiefly by the American Labor Party.

Mr. WALTER. As I understand it, you belonged to three different Communist organizations in Ann Arbor.

Mr. CROWLEY. Two.

Mr. WALTER. The Labor Youth League, the Neafus Club and the Haldane.

Mr. CROWLEY. Yes.

Mr. WALTER. How many members of the Communist Party were there in these three organizations?

Mr. CROWLEY. The Labor League had membership of maybe 20 or 30, to my knowledge, and the Ralph Neafus Club had a membership of, a regular membership of about 10 or 15 people and others came in and left from time to time. Some people were invited into a meeting and they would leave and would not come back and some would stay

in a few weeks and left and the Haldane Club was quite small. I think it had about 8 or 10 people, if that.

Mr. CLARDY. Wasn't there a fourth organization in town, or didn't you know about the club downtown called the Town Club?

Mr. CROWLEY. I knew there was a group downtown but I did not belong to that. I did not have any connection with it.

Mr. CLARDY. That downtown club is composed primarily of permanent residents of Ann Arbor, is it not?

Mr. CROWLEY. People live there, yes.

Mr. CLARDY. But you knew there was such a Communist organization?

Mr. CROWLEY. Yes.

Mr. CLARDY. And occasionally, I presume, there was some intermingling of people from that club with the other clubs you belonged to.

Mr. CROWLEY. No, maybe socially but not politically.

Mr. CLARDY. I did not mean Communist Party meetings, but you got together because of your common adherences to the Communist Party.

Mr. CROWLEY. Yes.

Mr. CLARDY. That is all I have on that point.

Mr. KUNZIG. Before I go into the final part of your testimony, which is the names of the members in Haldane, I had you to the point where you went to New York and had no specific contact except that you did go to certain Communist front rallies. Did you ever go to any other schools?

Mr. CROWLEY. Yes, I enrolled at the Jefferson School.

Mr. KUNZIG. The Jefferson School of Social Science?

Mr. CROWLEY. Yes, and I stayed there about a month or so and left it.

Mr. KUNZIG. Did you work at any summer camps?

Mr. CROWLEY. Yes, at Camp Unity.

Mr. CLARDY. It has been identified but I think we should have this further identification that the Jefferson School of Social Science was a Communist school. You do know it to be such, do you not?

Mr. CROWLEY. Well, it certainly taught the Communist Party line.

Mr. CLARDY. Do you know any students at the school who were not members of the Communist Party?

Mr. CROWLEY. No, I did not know anyone who was a member there.

Mr. WALTER. Where was this school?

Mr. CROWLEY. In New York City.

Mr. WALTER. Were there any members of the faculty at the school who were not Communists?

Mr. CROWLEY. I do not know as to whether or not they were because I had no contact with them. I know certain of them expressed open allegiance to the Communist Party but I don't know if they were members or not. I don't know that.

Mr. CLARDY. All you knew were?

Mr. CROWLEY. The ones I knew were, yes.

Mr. CLARDY. The students you knew to be members of the Communist Party.

Mr. CROWLEY. I did not know them to be members.

Mr. VELDE. I am sorry we will be unable to finish with this witness before noon as we promised to adjourn promptly at noon, so the committee will stand in recess now until 2 o'clock this afternoon.

(Whereupon, at 12:00 noon, the hearing was recessed, to reconvene at 2 p. m., of the same day.)

AFTERNOON SESSION

(At the hour of 2:07 p. m. of the same day, the proceedings were resumed, Representatives Harold H. Velde (chairman), Gordon H. Scherer, Francis E. Walter (appearance noted in transcript), Morgan M. Moulder (appearance noted in transcript), and Clyde Doyle being present.)

Mr. VELDE. The committee will be in order.

Mr. Reporter, let the record show for the purposes of the continued hearing of Mr. Crowley's testimony that I have appointed a subcommittee consisting of Mr. Scherer, Mr. Doyle, and myself as chairman, and Mr. Walter, a quorum of the subcommittee.

Proceed, Mr. Counsel.

Mr. KUNZIG. Would you please take the stand, Mr. Crowley.

TESTIMONY OF FRANCIS XAVIER THOMAS CROWLEY—Resumed

Mr. KUNZIG. Before the luncheon break, I was questioning you about the Haldane Club which you said you got into after you left the Ralph Neafus Club of the Communist Party.

Mr. CROWLEY. Yes.

Mr. KUNZIG. The final questions I wish to ask you are about the other members of the Haldane Club. Would you please tell the committee the names of those people and as much identifying information as you can give about those whom you knew and remember only of your personal knowledge to be members of the Communist Party in the Haldane Club?

Mr. CROWLEY. All right.

There was a man named Chuck Bisdee. I forget his first name.

Mr. KUNZIG. Do you have any further identification of Chuck Bisdee, age or address?

Mr. CROWLEY. No. He was a graduate student. I don't know his address.

Mr. KUNZIG. At Michigan?

Mr. CROWLEY. At Michigan, yes. I believe he was in the AVC. I was a member of that myself, the American Veterans Committee.

Mr. KUNZIG. But you knew Chuck Bisdee in the Communist Party, too?

Mr. CROWLEY. Yes.

Mr. KUNZIG. Any others?

Mr. CROWLEY. Yes, there was another member of the group, Max Dean.

Mr. KUNZIG. Can you identify him further?

Mr. CROWLEY. No, except he was a law student at that time.

Mr. KUNZIG. I think the record at this time should show that Max Dean very recently was a fifth amendment witness in Flint, Mich., and he was at the hearings we held out there.

He was in law school?

Mr. CROWLEY. Yes, he left and I don't know whether he came back.

Mr. KUNZIG. You mean he left the university?

Mr. CROWLEY. That is right.

Mr. KUNZIG. And you never saw him again?

Mr. CROWLEY. That is right. He may have come back but I don't remember.

Mr. KUNZIG. Any others?

Mr. CROWLEY. Yes, there was Jack Geist. I believe it is spelled G-e-i-s-t. He was there while I was there. I don't know any other identification of him except that he also was a graduate student.

Mr. KUNZIG. I think the record should show that Geist, after leaving the University of Michigan, became an instructor or assistant professor at the Massachusetts Institute of Technology. In June of 1952 he applied for a United States passport for the purpose of teaching at the University of Israel. You have no further information beyond that point? You knew Jack Geist to be a member of the Communist Party?

Mr. CROWLEY. Yes.

Mr. KUNZIG. Any others?

Mr. CROWLEY. Yes, there is a Martin Hoffman. He was also a student there. I knew him. He was a graduate student.

Mr. DOYLE. Mr. Chairman.

Mr. VELDE. Mr. Doyle.

Mr. DOYLE. Mr. Chairman, I did not have the benefit of being here this morning. I was in my Armed Services Committee, and I have just noticed the witness saying in answer to counsel's question, "Do you know him to be a member of the Communist Party?"; I presume counsel laid the foundation generally laid and I think that always should be laid as to how this witness knows that these people were members of the Communist Party.

Mr. KUNZIG. Yes, Mr. Doyle, that has been gone into at length.

Mr. DOYLE. I presume you did that this morning.

Mr. KUNZIG. The witness testified that while at the University of Michigan he was in both the Ralph Neafus Club of the Communist Party and he testified about that in detail, and also the Haldane Club of the Communist Party.

Mr. DOYLE. And were those closed meetings?

Mr. KUNZIG. Yes, sir, closed meetings, and we specified that he name only those people he knows definitely to be members of the Communist Party.

Mr. DOYLE. Thank you.

Mr. KUNZIG. You mentioned Martin Hoffman. Do you have any further identification of Martin Hoffman that will help us?

Mr. CROWLEY. He was a graduate student and I believe he taught for a while.

Mr. KUNZIG. Do you have any idea what he taught?

Mr. CROWLEY. Yes, psychology.

Mr. KUNZIG. At Michigan?

Mr. CROWLEY. Yes.

Mr. KUNZIG. Do you know Lloyd L. Barenblatt?

Mr. CROWLEY. Yes.

Mr. KUNZIG. Tell us about your knowledge of Lloyd Barenblatt.

Mr. CROWLEY. He also was a graduate student there and I lived with him. We shared an apartment for a while.

Mr. KUNZIG. Then you knew him very well?

Mr. CROWLEY. Yes.

Mr. KUNZIG. And you knew him to be a member of the Haldane Club in the Communist Party?

Mr. CROWLEY. Yes, just the Haldane Club.

Mr. KUNZIG. The Haldane Club of the Communist Party, I should say.

Mr. CROWLEY. Yes, and to my knowledge he left that and he left the University of Michigan.

Mr. KUNZIG. Do you know where he teaches at the present time, if he teaches?

Mr. CROWLEY. Yes, he is at Vassar. I would like to say, in fairness to him——

Mr. KUNZIG. Any testimony you can give, we would be glad to have.

Mr. CROWLEY. Yes, that he expressed to me his opinion that he was pretty much of the same opinion that I was about membership in the party. I am convinced that he has left it, the Communist Party.

Mr. KUNZIG. Your close knowledge of him was up to about 1950?

Mr. CROWLEY. Yes, I have seen him a few times since then, occasional visits.

Mr. KUNZIG. Are there any others?

Mr. CROWLEY. Yes, there was a Mazie Gusakoff.

Mr. KUNZIG. Would you spell Mazie Gusakoff?

Mr. CROWLEY. G-u-s-a-k-o-f-f. The Mazie I am not sure of.

Mr. KUNZIG. You knew her to be a member of the Haldane Club of the Communist Party?

Mr. CROWLEY. Yes, for a while she attended meetings there.

Mr. KUNZIG. During the period of time that you did?

Mr. CROWLEY. Yes.

Mr. KUNZIG. How about Lester Beberfall?

Mr. CROWLEY. Yes, he was a member at that time.

Mr. KUNZIG. Of the Haldane Club?

Mr. CROWLEY. Yes.

Mr. KUNZIG. And you knew him to be a member definitely of the Communist Party?

Mr. CROWLEY. Yes, in the Haldane Club meetings.

Mr. KUNZIG. Can you give us any further identification on Lester Beberfall, any further assistance?

Mr. CROWLEY. He was a graduate student.

Mr. KUNZIG. Where?

Mr. CROWLEY. At the University of Michigan, and I believe he was a teaching fellow in the language department.

Mr. KUNZIG. Do you know where he is at the present time?

Mr. CROWLEY. No, I don't.

Mr. KUNZIG. When did you have any contact with him last?

Mr. CROWLEY. In 1950.

Mr. KUNZIG. I have no further questions, Mr. Chairman.

Mr. VELDE. Mr. Reporter, let the record show that I have appointed a new subcommittee consisting of Mr. Moulder, Mr. Doyle, and myself as chairman, for the purpose of continuing this hearing.

(Representative Morgan M. Moulder entered the hearing room at this point.)

(Representative Francis E. Walter left the hearing room at this point.)

Mr. KUNZIG. I presume you have no questions of this witness, Mr. Moulder.

Mr. MOULDER. No questions.

Mr. KUNZIG. Mr. Doyle.

Mr. DOYLE. Yes, Mr. Chairman, and may I be privileged to ask just a few. Again I realize that I don't know what you have answered by way of questions from committee members, but I do see from the record that there were proceedings against you initiated in Congress.

Mr. CROWLEY. That is right.

Mr. DOYLE. And your previous refusal to answer questions before the committee which the committee felt were such that your answers placed you in a legitimate contempt. Now, you are back here voluntarily?

Mr. CROWLEY. Yes.

Mr. DOYLE. You are here without counsel?

Mr. CROWLEY. Yes.

Mr. DOYLE. Evidently voluntarily, is that correct?

Mr. CROWLEY. Yes.

Mr. DOYLE. In other words, you are here now helping the committee in its legal responsibility? I want to compliment you for doing that. I see you are a comparatively young man, evidently in a position of some leadership and responsibility. That places an additional responsibility on you.

But have you any suggestion to make to this committee out of your experience which might add to our effectiveness, in your judgment, in our discharge of our duties under Public Law 601?

Mr. CROWLEY. No, it is hard for me to add anything to the procedures you have taken. I would say that I think there are quite a few people who, like myself, were members of the Communist Party and no longer are and have some reason or other for refusing to cooperate with the committee or testify. Those people are doing a great disservice to themselves and to the country and I think that they could be reasoned with to take the approach I have taken.

I think it would be well worth the effort to try to convince these people with arguments that they are wrong by not testifying.

Mr. DOYLE. Yes, but you were an American citizen when you were appearing before the committee before.

Mr. CROWLEY. That is the mistake I made.

Mr. DOYLE. This was the same committee.

Mr. CROWLEY. Yes.

Mr. DOYLE. And yet you pleaded your constitutional privilege.

Mr. CROWLEY. No, I did not, sir.

Mr. KUNZIG. He just refused to testify.

Mr. DOYLE. That is what placed you in legitimate contempt.

Mr. CROWLEY. Yes.

Mr. DOYLE. Have you any suggestions to this committee as to how we could perhaps induce more young men and women or older citizens to, as you say, help the committee in helping to discharge its official duties? What can we do? We have given an invitation over the radio and through the press and every other way.

Mr. CROWLEY. One way might be if a witness is willing to cooperate, to safeguard them in some way, provided they do not take the course I took and refuse to testify, to safeguard them in some way from

publicity or from harmful social repercussions. That is an unfortunate thing.

Mr. DOYLE. Yes, but you are going to suffer.

Mr. CROWLEY. Yes, I learned myself that I took the wrong course.

Mr. DOYLE. Now, why do you place yourself in perhaps a place where there will be repercussions? Why do you do it now and you did not do it before?

Mr. CROWLEY. Well, I have a sense of responsibility now that I did not have then, and I have something to live for other than just myself. I have a wife and I am going to have a child. When I appeared before the committee the last time I had neither of those and I am not going to punish them for something I did, something I do not believe in.

Mr. DOYLE. In other words, before you were following the Communist Party line and refusing to cooperate with the committee?

Mr. CROWLEY. No, I was not following it. I was just acting on my own impulse. I had not yet any contact with the Communist Party since 1950 when I appeared the last time. It was my own decision to do it that way. I was wrong.

Mr. DOYLE. Thank you very much.

Mr. KUNZIG. No further questions, Mr. Chairman.

Mr. VELDE. Mr. Moulder, do you have any questions?

Mr. MOULDER. I was not here during the earlier part of your testimony, but did you explain to the committee what influence persuaded you to go into the party?

Mr. CROWLEY. Yes, I did. I said that I was searching for some kind of a faith or ideology to hang onto, some spiritual thing, and I thought that was it. It served for a while. It took the place of a faith that I had lost.

I was brought up as a Catholic and it was some kind of spiritual help to me, a support, a crutch to lean on while I was in it. And then I saw what it was and I lost that and I have gone back to my original faith. But I think my reason was because I was at odd ends with myself and the world and I did not know how to solve my own personal problems.

Mr. MOULDER. At that time did you consider yourself a party to the conspiracy of a world revolutionary movement to overthrow our form of government?

Mr. CROWLEY. I do not think I ever thought of it that way, that I was actively, you know, engaged in that kind of thing. I am convinced I never thought of it in the terms of a conspiracy. Maybe I did not realize it or maybe I was naive about it, but I do not think I ever felt like that.

Mr. DOYLE. May I ask one more question, Mr. Chairman?

Mr. VELDE. Mr. Doyle.

Mr. DOYLE. Do I understand that for a period of perhaps 2 or 3 years you tried to substitute communism for the Christian faith and found it was no substitute?

Mr. CROWLEY. That is right, that sums it up.

Mr. DOYLE. Thank you.

Mr. VELDE. I have just a few questions. Mr. Crowley. I do not mean to be castigating you by any stretch of the imagination. On the other hand, I do want to congratulate you on taking the stand you have taken today, but there is something that worries me about mem-

bers of the Communist Party who remain in membership after 1948 and 1949. There has been quite a little information given out by legitimate Government officials concerning the nature of the Communist Party after that time. I am wondering whether you or any of your fellow members of the Communist Party in 1950 ever considered the statements made by our Supreme Court and this Un-American Activities Committee and other committees of Congress concerning the nature of the Communist conspiracy.

Did you ever stop to consider that?

Mr. CROWLEY. Yes, I followed the Smith trials, the original Smith trials of the Communist Party leaders and up to about the time of the Korean war or shortly after it began I did not think that the Communist Party was guilty in the sense that the Smith Act had indicted it to be, or the leaders of the Communist Party.

Mr. VELDE. You were in the party how long after the Korean war started?

Mr. CROWLEY. I was in the party until about August 1950, about July of 1950. The Korean war started in June.

Mr. VELDE. June 30, wasn't it, or about the 20th of June.

Well, now, Mr. Crowley, at the time that we sent troops to South Korea to defend against the onslaught of North Koreans, were you propagandized into believing that the attack was by the South Koreans?

Mr. CROWLEY. I was at that time.

Mr. VELDE. Did you feel that it was?

Mr. CROWLEY. I did when the fighting first started, but I changed my mind about that, as I think a lot of people did.

Mr. VELDE. That is when you were in the Haldane Club?

Mr. CROWLEY. Yes.

Mr. VELDE. And you were a postgraduate student and so were the others, mostly postgraduate students?

Mr. CROWLEY. Yes.

Mr. VELDE. Did they ever discuss this topic in closed meetings of the Haldane Club, that is, who is the aggressor in the Korean war?

Mr. CROWLEY. Yes, the opinion was that South Korea was the aggressor.

Mr. VELDE. How did they arrive at that conclusion?

Mr. CROWLEY. I don't know. It was just stated that South Korea invaded North Korea.

Mr. VELDE. Did it come from higher sources in the Communist Party; do you know?

Mr. CROWLEY. Well, it must have, because I do not think anyone there would have, you know, devised that explanation for the war.

Mr. VELDE. Do you recall any of the other matters which were discussed by your group in the meetings at the Haldane Club particularly?

Mr. CROWLEY. Let me see.

Mr. VELDE. Did you study Marxism?

Mr. CROWLEY. Yes, pamphlets on Marxism. I forget which ones, but the discussion centered around, as I recall, literature and cultures, on the subjects of arts, the relation to communism of Marxism, what is the function of the artist in that respect.

The Haldane Club was chiefly an intellectual group, discussion group.

Mr. VELDE. That was only, as you testified before, about 8 or 10 members of the postgraduate group at the University of Michigan?

Mr. CROWLEY. Yes.

Mr. VELDE. Do you have any idea how many postgraduates were in the University of Michigan at that time?

Mr. CROWLEY. The student body was about 20,000 altogether, and I think there must have been about at least 15,000 in the college, so I guess the graduate students would be 12,000 to 15,000, I think.

Mr. VELDE. Of course, that is a very minute percentage considering the whole population. However, we have seen how small percentages of dyed-in-the-wool Communist Party members can take over large majorities in other countries behind the Iron Curtain.

You say, however, you did not have any idea you were engaged in a conspiracy to overthrow the American constitutional form of government?

Mr. CROWLEY. No.

Mr. VELDE. Do you feel that your colleagues had that idea, that they were engaged in a conspiracy?

Mr. CROWLEY. I am sure that the ones I knew did not have that notion. They were people who were mostly the intellectual type of people who were getting their feet wet on something or other. Some of them may have had that in their mind, but I never heard it expressed in the terms of overthrowing anything. It was never expressed to me that way.

Mr. VELDE. Could we sum up your reasons for going into the Communist Party in the first place and your reasons for getting out something like this; that you were personally disturbed over the social situation in the United States and that you had personal problems of your own that you thought you could solve by getting into the Communist Party?

Mr. CROWLEY. Yes.

Mr. VELDE. And that is the reason you got in?

And now, as far as getting out of the Communist Party, did you ever submit a formal resignation?

Mr. CROWLEY. No, when I left the Haldane Club, which was in July of 1950, and I left Ann Arbor at the same time, in August, after I graduated, and I never got a transfer or anything of that sort. I just stopped.

Mr. VELDE. You just stopped attending meetings of all kinds in 1950 and had nothing further to do with the Communist Party whatsoever?

Mr. CROWLEY. That is right.

Mr. VELDE. And your reasons for getting out of the party or for being disinterested in further attendance in meetings in the Communist Party was that you felt it had not solved your personal problems?

Mr. CROWLEY. It had not solved my personal problems and it had not done me—in fact, it had done me more harm than good because it had given me a false picture of the world, a false picture of what is right and wrong. From the way I am living, I am certainly not living according to the way a Communist might be expected to live. And I feel I am right now, so I must have been wrong then.

Mr. VELDE. I am glad to hear you say that. You definitely feel now that the Communist Party is a conspiracy and not a political party whatsoever?

Mr. CROWLEY. That is right.

Mr. VELDE. May I say that we certainly do appreciate the information you have given here voluntarily to the committee.

As I mentioned before, the committee would not be authorized as a body to ask for immunity from prosecution for you. However, I do feel that many of the members of the committee, probably a big majority, feel that you have performed a service to your country by giving us the information that you have and that would possibly be a good reason why the Attorney General should drop prosecution in your particular case for contempt.

Does any other member have anything further?

Do you have anything further, Mr. Counsel?

Mr. KUNZIG. Nothing further.

Mr. VELDE. If not, the witness is excused with the committee's thanks.

Call your next witness.

Mr. KUNZIG. Robert H. Silk.

Mr. VELDE. Will you raise your right hand?

Mr. SILK. Mr. Chairman, before I take the oath, I wish to raise an objection to the jurisdiction of this committee to administer the oath.

Mr. VELDE. You have no right to raise any objection to the jurisdiction of this committee.

Does the witness refuse to take the oath?

Mr. SILK. I will take the oath, under protest.

Mr. VELDE. In the testimony you are about to give before this subcommittee, do you solemnly swear you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SILK. I do.

Mr. VELDE. Mr. Reporter, for the purposes of this hearing, let the record show that I have appointed as a subcommittee Mr. Walter, Mr. Moulder, Mr. Doyle, and myself as chairman, four members are present as a quorum.

Proceed, Mr. Counsel.

TESTIMONY OF ROBERT H. SILK, ACCOMPANIED BY HIS COUNSEL, JOSEPH FORER

Mr. KUNZIG. Will you state your full name, please?

Mr. SILK. Robert H. Silk.

Mr. KUNZIG. Your present address?

Mr. SILK. 850 West 176th Street, New York City.

Mr. KUNZIG. I see that you are accompanied by counsel. Would counsel please give his name and address?

Mr. FORER. Joseph Forer, 711 14th Street NW., Washington, D. C.

Mr. KUNZIG. Mr. Silk, would you please give the committee a very brief résumé of your educational background?

Mr. SILK. How far back do you want to go?

Mr. KUNZIG. Start with high school.

Mr. SILK. Bronx High School of Science in New York City.

Mr. KUNZIG. When did you graduate?

Mr. SILK. I think it was in January 1943, to the best of my recollection.

Mr. KUNZIG. And from then on.

Mr. SILK. I entered the University of Michigan, the Lit School, and I was there—I entered immediately and I was there until approximately January of 1944. I had 1 year there.

Then I enlisted in the merchant marine and I was there until after the war.

In June of 1946—and these are all approximate; I am not certain of the exact dates—but I reentered the University of Michigan and took 2 years of undergraduate school, whereupon I entered the law school, which was in September 1948 and I graduated from law school in June of 1951.

Mr. KUNZIG. Are you now a member of any bar?

Mr. SILK. I am.

Mr. KUNZIG. Of what State?

Mr. SILK. The States of Michigan and New York.

Mr. KUNZIG. Are you practicing law at the present time?

Mr. SILK. I am.

Mr. KUNZIG. When did you become a member of the bar of Michigan and when of New York?

Mr. SILK. Michigan, I believe it was September of 1951 and in New York in June of 1952.

Mr. KUNZIG. Now, were you present in the room this morning during the testimony of Mr. Crowley?

Mr. SILK. Yes.

Mr. KUNZIG. Then you heard your name mentioned as one of those whom Mr. Crowley knew to be a member of the Communist Party?

Mr. SILK. I heard my name mentioned as such.

Mr. KUNZIG. Have you ever been a member of the Communist Party?

Mr. SILK. I respectfully decline to answer that question upon the following grounds: I invoke the fifth amendment, which gives me a right to refuse to be a witness against myself; I invoke the fifth amendment, which gives me an opportunity to avoid—the due process clause specifically which does not subject me to criminal prosecution for the violation of a vague and indefinite penal statute, as I deem the authorizing resolution of this committee to be.

I do so upon the ground of the first amendment which gives me a privilege to speak my mind, to have what political associates I will.

Mr. KUNZIG. You refuse to answer on the ground that it might incriminate you; is that right?

Mr. SILK. I refuse to answer upon all those grounds, including that ground that it might tend to incriminate me.

Mr. VELDE. One of those being that this committee is not constitutionally formed?

Mr. SILK. I did not set forth such a ground in my refusal, Mr. Chairman.

Mr. VELDE. However, the statute forming it was in the nature of a criminal statute; is that right?

Mr. SILK. The statute forming it authorizes the committee to conduct a certain type of investigation.

There is another section in the United States Code which makes refusal to answer questions pertinent to the investigation to be a

criminal offense. It is impossible from the nature of the resolution of the committee in this case to know what is pertinent to the investigation.

Mr. VELDE. Well, let me ask you, Mr. Silk, do you think it is criminal for a committee of your Congress to investigate subversives and subversive activities and report to the Congress, to your Congress, for remedial legislation. Do you think that is criminal?

Mr. SILK. No.

Mr. VELDE. I am glad to hear you say that. Proceed.

Mr. KUNZIG. Apparently you do not worry about the Supreme Court making decisions.

Mr. SILK. Name one. The Supreme Court has denied certiorari in every case, to my knowledge.

There were two cases, the Josephson case and the Barsky case, both of which the Supreme Court denied "cert." on. I don't know of other cases, but it is simply to that inadequacy that I speak as a lawyer.

Mr. KUNZIG. You can contact your lawyer on that.

Mr. Silk, did you ever know Francis X. T. Crowley?

Mr. SILK. I decline to answer that upon the grounds which were previously stated.

Mr. KUNZIG. I am just asking you whether you ever knew him?

Mr. SILK. I decline to answer that upon the grounds which I have previously stated.

Mr. KUNZIG. Were you ever a member of the Ralph Neafus Club of the Communist Party?

Mr. SILK. I decline to answer upon the grounds which I have previously stated.

Mr. KUNZIG. Were you ever a member of the Haldane Club of the Communist Party?

Mr. SILK. Same answer.

Mr. KUNZIG. Were you ever a member of the National Lawyers' Guild?

Mr. SILK. Same answer.

Mr. KUNZIG. I presume, Mr. Chairman, that it would be unnecessary to show this witness a list of the membership report of the student organization of the National Lawyers' Guild. However, I will pass it over to you, Mr. Silk.

It says, under "Organization," the following: "National Lawyers' Guild."

This will be identified as Silk exhibit No. 1 for identification.

(Organization list of National Lawyers' Guild was marked "Silk Exhibit No. 1" for identification.)

Mr. KUNZIG. It says—

National Lawyers' Guild, nature of organization: To promote legal education and discussion supplementary to law school.

And listed on the list is Robert H. Silk.

I hand you this document marked "Exhibit No. 1" for identification and ask you if you are the Robert H. Silk listed there on the National Lawyers' Guild.

Mr. SILK. I decline to answer that question upon the same grounds.

Mr. KUNZIG. The Robert H. Silk listed under Ann Arbor, addressed to 118 Falch.

Did you ever live at 118 Falch?

Mr. SILK. I decline to answer that question upon the same grounds.

Mr. KUNZIG. I merely asked you whether you ever lived at 118 Faleh.

Mr. SILK. I decline to answer that upon the same grounds heretofore set forth.

Mr. KUNZIG. Were you a member of the Michigan Youth for Democratic Action, an affiliate of the AYD?

Mr. SILK. I decline to answer that question on the grounds set forth previously.

Mr. KUNZIG. Isn't it a fact you were also a member of the Young Progressives while you were there?

Mr. SILK. I make the same answer to that question. I decline to answer for the same reasons.

Mr. VELDE. It will be noted that where you decline to answer hereafter that it will be for the reasons previously stated, in order to save time.

Mr. SILK. Thank you, Mr. Velde.

Mr. KUNZIG. Did you ever send in \$202 to the National Guardian from Ann Arbor on an operation called "Bootstrap"?

Mr. SILK. I decline to answer that question for the same reasons.

Mr. KUNZIG. The August 30, 1950, issue of the National Guardian, edited by Cedric Belfrage, who is well known in his attitude and behavior as a witness before this committee last year, has that in black and white, a letter from a Bob Silk from Ann Arbor, Mich. The letter states:

Enclosed is \$5 for Bootstrap. This, when added to \$153 previously sent by me, plus \$4 proceeds from Northwoods party equals a total of \$202. We are again over the top. Except (sic) to continue plugging for the paper. The new goal is \$300.

BOB SILK.

Are you now a member of the Communist Party?

Mr. SILK. I decline to answer that question for the same reason.

Mr. KUNZIG. I am asking you at the present time. You are a member of the bar, Mr. Silk, a member of the bar of two great States in this country, Michigan and New York.

I am asking you at the present time as a fellow member of the bar of the Commonwealth of Pennsylvania, are you now a member of the Communist Party?

Mr. SILK. I decline to answer that for the same reason and I would appreciate being heard on my understanding of the fifth amendment.

Mr. KUNZIG. We understand that you have taken the fifth amendment.

Mr. SILK. There is no inference of guilt. I know of no inference of negative or affirmative inference—that when a person invokes a privilege—

Mr. KUNZIG. But there has been sworn testimony this morning that you had been a member of the Communist Party, at least up to 1950. This is an opportunity for you.

So many people say, "I never had an opportunity to affirm or deny."

Here is a sworn statement and you have an opportunity to deny it if it is false.

I will ask you again, have you ever been a member of the Communist Party?

Mr. SILK. Same answer.

Mr. KUNZIG. Did you take an oath as a member of the bar?

Mr. SILK. I did. Two, I should say, one in Michigan and one in New York.

Mr. KUNZIG. And you hold to that oath today as well as the day you took it?

Mr. SILK. I most firmly do, without equivocation.

Mr. KUNZIG. But you do not wish to say anything about the testimony given that you are a member of the Communist Party?

Mr. SILK. I have given my answer. I decline to answer on the grounds previously set forth.

Mr. KUNZIG. Were you a member of the Communist Party prior to taking the oath of the Michigan Bar and the New York Bar?

Mr. SILK. I decline to answer on the same grounds.

Mr. KUNZIG. Were you a member of the Communist Party when you were in the merchant marine in the Armed Forces?

Mr. SILK. I decline to answer on the same grounds.

Mr. KUNZIG. I have no further questions, Mr. Chairman.

Mr. SILK. I was never a member of the Armed Forces.

Mr. KUNZIG. I will subtract the Armed Forces.

Mr. SILK. Except that I was a member of the Naval Reserve on inactive status.

Mr. KUNZIG. Are you a member of the Naval Reserve today?

Mr. SILK. No; I am not.

Mr. KUNZIG. No further questions.

Mr. VELDE. Mr. Walter.

Mr. WALTER. No questions.

Mr. VELDE. Mr. Doyle.

Mr. DOYLE. Are you a member of the American Bar Association?

Mr. SILK. I am not.

Mr. KUNZIG. Are you a member of the New York Bar?

Mr. SILK. The New York State Bar Association, no.

Mr. KUNZIG. Are you a member of the New York City Bar Association or any bar association?

Mr. SILK. I decline to answer that question upon the grounds previously set forth.

Mr. KUNZIG. Is it a criminal thing to be a member of a bar association? If so, I would like to know. I am a member of several.

Mr. FORER. When you say bar association, you had better specify.

Mr. KUNZIG. Other than the National Lawyers' Guild?

Mr. FORER. The Association of the Bar of the city of New York.

Mr. KUNZIG. Are you a member of any bar association in Michigan?

Mr. SILK. Well, Michigan has an integrated bar and I suppose I am. I am not too sure.

Mr. KUNZIG. By being a member of the bar, you automatically become a member of the association.

Mr. SILK. You have to pay \$10 and I have not kept it up. I don't know what my status is. It is not an active membership in the Michigan bar.

Mr. DOYLE. I am a lawyer too, I might say to the witness, though I have not worked at it for 9 years.

I don't know if you said it, but by inference at least to me I think I heard you infer that the statute under which we operate as a con-

gressional committee is, in your judgment, unconstitutional; is that correct?

Mr. SILK. In my most humble opinion it is not constitutional.

Mr. DOYLE. And I think you raised other objections to it. I did not quite get the point.

I will ask you the question again, what objection do you have to the statutes under which we operate, Public Law 601?

Mr. SILK. I have an objection to the resolution under which you are operating, based upon several grounds. I will set them forth.

My first objection to this is that the committee is authorized to investigate propaganda that attacks the principle of the form of government as guaranteed by our Constitution. That is absolutely meaningless.

I defy anybody in the whole world to come to agreement with any other person in the whole world as to what "the" principle of the form of government that is guaranteed by our Constitution is. There are principles, yes, and we even have disagreement on that, but what is "the" principle? I don't know.

I am compelled to answer questions pertinent to the investigation. What is pertinent to this is absolutely incredible. I don't know what it is and I do not think anybody would agree.

Mr. DOYLE. My purpose in my asking you the question was perhaps twofold; first, you are a young lawyer and I am quite shocked, frankly, to see you at your age take the position of refusing to cooperate with your own congressional committee on the basis of being here with your own counsel, and we are glad he is here; but you were present in this hearing room and heard this man identify you as a member of the Communist Party, and you have refused to reply to his statement under oath.

Now, that manifestly puts you out where you cannot go out and claim that you do not have a chance to defend yourself because you have had your chance. It looks to me as though your lips are sealed so far as any comment and criticism is concerned and I do not mean that by your claiming the fifth amendment that there is any inference in my mind that you are a member of the Communist Party either, because I recognize what the court's decisions are on that point.

The other reason I asked you that question was to see whether your answer would help me as a member of this committee, would help me understand why you, a young man of the bar, would undertake to argue that this statute was unconstitutional. I am frank to say that this is the first time I have heard the sort of argument you have given, but I am going to hear it because it further helps me to understand how you, a young member of the bar, would claim the privilege.

Now, may I be just personal for 1 minute.

Why don't you get out of that outfit? Why don't you clean house and get out of any association that makes you feel it is right to come in before a congressional committee and refuse to help your Congress clean up on these subversives?

You have not admitted you are subversive, I know, and there is no inference you are merely because you plead the fifth amendment, but in my book and I might as well be frank with you, in my book, from your answers and the records we have of your affiliation, it makes me very fearful that if you go on the way you are as a young lawyer and a young American, you are not only going to harm yourself more and

your family more, but you are going to harm your country more than you have already.

You see, some of us know boys who are dead in order that you might have a chance.

Mr. SILK. I have never harmed my country and I do not think that it is very proper for you to suggest.

Mr. DOYLE. You are harming right now when you are refusing to help us uncover subversives. You know very well you are, and don't you forget. I am telling you in just that strong language where, as a member of the bar, you are likely to see the day that you will recognize that you are harming the country that gave you birth and you ought to be ashamed of yourself.

I don't know how to make it any more personal, but that is just the way I mean it. I am just ashamed to see a young man of your ability and leadership ability and apparently you have refused to cooperate with your own congressional committee.

You do not even deny that you are a member of the Communist Party now. Most of your people come in and say no, I am not a member now.

You do not even say that. You are one of a very, very few. Most of the witnesses who come here and plead the fifth amendment, if they are honest, they tell us "I am not a member now." Even though they do refuse to say whether or not they were members yesterday. You do not even take that position.

Mr. SILK. I think I am honest, sir.

Mr. DOYLE. You what?

Mr. SILK. I think I am honest, sir. I also think that I am a good American.

Mr. DOYLE. May I just make this one further observation to you—

Mr. SILK. By not cooperating with this committee, I am a better American than if I cooperated with the committee.

Mr. WALTER. You are a glorified draft dodger.

Mr. SILK. Thank you for slurring the members of the merchant marine. They suffered more casualties in proportion to their members than any other group of the Armed Forces and they have no GI bill of rights either.

Mr. DOYLE. May I make this one further observation, and I say this very earnestly to you, that when you say you are a better American because you refuse to cooperate with this committee, as I understand it, that is equivalent to saying you are a better American than the United States Congress membership is because we passed Public Law 601, and therefore you are discrediting the judgment and the ultimatum of the United States Congress when you say you are a better American when you refuse to cooperate with a statute of the American Congress.

One thing more, and I am through. You emphasized something about the laws of freedom to think as you please, and my position is this, and I want you to understand it; I take the position that you as a young man have a right to be as you want and do what you want and say what you want in this country as long as you do it within the 4 corners of the United States Constitution, and when it goes outside the 4 corners of the Constitution that means you are in violation of the law, and any outfit that is subversive is in violation of

the law, and that is why we are after the Communist Party memberships, identifying that as one of the subversive outfits.

Mr. SILK. Thank you, sir.

I stay within the four corners of the United States Constitution.

Mr. DOYLE. Thank you, Mr. Chairman.

Mr. VELDE. You may proceed, Mr. Counsel.

Mr. KUNZIG. What is your present age?

Mr. SILK. 28.

Mr. KUNZIG. Mr. Chairman, I would like to offer in evidence exhibit No. 1 for identification, previously identified.

Mr. VELDE. Without obligation, it will be introduced in evidence.

(Organization list of National Lawyer's Guild, marked "Silk Exhibit No. 1" for identification, was received in evidence.)¹

Mr. KUNZIG. I have nothing further.

Mr. VELDE. In line with what Mr. Walter said, what is your draft status at the present time?

(At this point Mr. Silk conferred with Mr. Forer.)

Mr. SILK. I really don't know. I am over the age of induction, which is 26. I have my draft card in my wallet. It is 4-A. I am over the age that they are drafting now anyway. I think they are stopping at 26 or something like that.

Mr. VELDE. What is your draft board number, or where is it located?

Mr. SILK. It is in Ann Arbor.

(At this point Mr. Silk conferred with Mr. Forer.)

Mr. SILK. My selective service registration certificate is signed by the registrar for the local board No. 85, in Ann Arbor, Mich.

Mr. VELDE. Mr. Silk, do you believe that it is a crime to belong to the Communist Party?

Mr. SILK. I do not believe it is, as a matter of fact.

Mr. VELDE. Then why don't you answer whether you are a member of the Communist Party at the present time? You used the fifth amendment, which is a privilege against self-incrimination. Is it that you have contempt for this committee?

Mr. SILK. I have used the fifth amendment because the courts have continuously upheld the use of the fifth amendment in response to that question.

Mr. VELDE. Even though you have not been involved in any crime. You feel—you just said that you do not feel it is any crime to belong to the Communist Party and regardless of that fact you still decline to answer that on the basis of the privilege against self-incrimination.

(At this point Mr. Silk conferred with Mr. Forer.)

Mr. DOYLE. I will ask that the witness be instructed to answer the question.

Mr. FORER. I would like to have the question.

Mr. SILK. I don't understand the question.

Mr. VELDE. Actually it was not a question.

Mr. SILK. I see.

Mr. DOYLE. Maybe his mind will be changed when he states here and now that he doesn't think it is a crime to be a member of the Communist Party.

Mr. SILK. That is just my opinion. I don't know. I think it is not.

Mr. VELDE. Certainly you are raising the inference in some minds

¹ Retained in committee files.

that you are a member of the Communist Party and a member of the Communist conspiracy and certainly it is leaving the impression in my mind.

Do you have any further questions, Mr. Counsel?

Mr. KUNZIG. Nothing further, Mr. Chairman.

Mr. VELDE. If not, the witness is excused. Call the next witness.

Mr. KUNZIG. Norman Cazden.

Mr. VELDE. In the testimony you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. CAZDEN. I do.

Mr. VELDE. Will you be seated.

TESTIMONY OF NORMAN CAZDEN, ACCOMPANIED BY HIS COUNSEL, JOSEPH FORER

Mr. KUNZIG. Would you give your full name, please, sir?

Mr. CAZDEN. Norman Cazden.

Mr. KUNZIG. Would you spell them, please?

Mr. CAZDEN. N-o-r-m-a-n C-a-z-d-e-n.

Mr. KUNZIG. Your present address?

Mr. CAZDEN. 84 Keeler Avenue, Bridgeport, Conn.

Mr. KUNZIG. Would counsel identify himself for the record?

Mr. FORER. Joseph Forer, 711 14th Street NW., Washington, D. C.

Mr. KUNZIG. Would you give the committee a brief résumé of your educational background, sir?

Mr. CAZDEN. I presume you mean my formal educational background?

Mr. KUNZIG. Yes, starting with high school.

Mr. CAZDEN. I attended Morris High School in New York City and I believe the date of my graduation was June 1930. I attended the Juilliard School of Music in New York City. I received several diplomas and between 1930 and 1939 I received those diplomas.

I attended the College of the City of New York from 1938 to 1943 and received a bachelor's degree.

I attended Harvard University from 1943 to 1945 and subsequently was on graduate fellowship. While there I attained a master of arts degree, doctor of philosophy degree.

Mr. KUNZIG. At what institution?

Mr. CAZDEN. Harvard University.

Mr. VELDE. Did you say a bachelor's degree at Harvard?

Mr. CAZDEN. At the College of the City of New York.

Mr. VELDE. What degree at Harvard?

Mr. CAZDEN. Master of arts and doctor of philosophy.

Mr. KUNZIG. Dr. Cazden, would you give us a résumé of your employment background, the highlights of your employment?

Mr. CAZDEN. That would be pretty hard to do because music is a very free-lance type of occupation and I have engaged in so many different things, sometimes simultaneously. When you try to get them in order it is a little difficult. I will try to give you the bigger things that I can recall.

Mr. KUNZIG. Just the main points, then.

Mr. CAZDEN. I have been a teacher of music. I guess I started teaching back in 1928, piano and composition and such. I taught at a number of schools and colleges.

First was at Juilliard School of Music where I was a part-time instructor of the piano.

I taught at Vassar College and I taught at the Peabody Conservatory at Baltimore, at the University of Michigan, and I taught at the University of Illinois.

I have engaged in many other musical activities which were not teaching.

Mr. KUNZIG. When did you teach at the University of Illinois?

Mr. CAZDEN. From 1950 until 1953.

Mr. VELDE. Did you have a contract with the University of Illinois?

Mr. CAZDEN. Yes.

Mr. VELDE. You are not under tenure?

Mr. CAZDEN. I am not under tenure.

Mr. VELDE. Has your contract expired?

Mr. CAZDEN. The contract expired in 1953.

Mr. VELDE. Did you make any attempt to get it renewed?

Mr. CAZDEN. No.

Mr. VELDE. Did the University of Illinois make any attempt to renew the contract?

Mr. CAZDEN. I do not know.

Mr. VELDE. At least they never approached you to ask you to teach there again?

Mr. CAZDEN. No, I taught in the summer season of 1953 and that was the last.

Mr. KUNZIG. How have you been employed since you left Illinois?

Mr. CAZDEN. I am self-employed.

Mr. KUNZIG. At the present time, that is.

Mr. CAZDEN. At the present time.

Mr. VELDE. On a free-lance basis?

Mr. CAZDEN. On a free-lance basis.

Mr. KUNZIG. Dr. Cazden, were you present in the hearing room this morning?

Mr. CAZDEN. I was here this morning.

Mr. KUNZIG. And you heard yourself named as having been a member of the Communist Party by Mr. Crowley, is that correct?

Mr. CAZDEN. I heard that statement.

Mr. KUNZIG. Have you ever been a member of the Communist Party?

Mr. CAZDEN. I decline to answer that question on the basis of my privileges under the fifth amendment not to be a witness against myself.

Mr. KUNZIG. In a criminal proceeding.

Now, are you now today a member of the Communist Party?

Mr. CAZDEN. I decline to answer that question for the same reason.

Mr. KUNZIG. Were you ever in the Armed Forces?

Mr. CAZDEN. I have never been in the Armed Forces.

Mr. KUNZIG. Did you ever know Mr. Crowley who testified here this morning?

Mr. CAZDEN. I decline to answer that question on the same grounds.

Mr. KUNZIG. I merely asked you if you knew him when you were out at Michigan.

Mr. CAZDEN. I decline to answer that question on the same grounds.

Mr. KUNZIG. During the course of your teaching days at the Jefferson School of Social Science——

Mr. CAZDEN. I decline to answer that question on the grounds already stated.

Mr. KUNZIG. Dr. Cazden, I have here a Jefferson School of Social Science for 1947, a full program prospectus, and it lists among other names of people teaching there, Norman Cazden, graduate, Juilliard School of Music, A. M., Harvard, taught at Juilliard, formerly on music staff of WNYC and WLIB.

Were you ever on the music staff of WNYC and WLIB?

Mr. CAZDEN. I have been on the music staff of both of those.

Mr. KUNZIG. Are you the Norman Cazden listed here on this prospectus of Jefferson School of Social Science, the fall term, 1947?

Mr. CAZDEN. I decline to answer that question on the grounds already stated.

Mr. KUNZIG. This exhibit is marked Cazden 1 for identification, and I offer it in evidence as Cazden Exhibit 1, Mr. Chairman.

Mr. VELDE. Without objection, it will be received in evidence at this point.

(Photostat of document entitled "Jefferson School of Social Science, September–December 1947," marked "Cazden Exhibit No. 1" for identification was received in evidence as Cazden Exhibit No. 1.)¹

Mr. KUNZIG. Here is the catalog of the spring term of 1947, Dr. Cazden. It lists a Norman Cazden as lecturer, and so forth, music and art.

Were you teaching at the Jefferson School of Social Science in the spring term of 1947?

Mr. CAZDEN. I decline to answer that question on the grounds already put forth.

Mr. KUNZIG. Of course, the record will show that the Jefferson School is a cited organization.

Were you ever connected with the National Council of Arts, Sciences and Professions?

Mr. CAZDEN. I decline to answer that question on the grounds already stated.

Mr. KUNZIG. Were you a sponsor of the program of the Cultural and Scientific Conference for World Peace?

Mr. CAZDEN. I decline to answer that question on the grounds already stated.

Mr. WALTER. What about the World Peace Conference that was held on the 25th of March 1949?

Mr. Kunzig, is that what you are interrogating him about?

Mr. KUNZIG. Yes.

Mr. WALTER. I would like to know something about that World Peace Conference. By way of refreshing your recollection, it was held at the Waldorf-Astoria Hotel. Do you recall it?

Mr. CAZDEN. I decline to answer that question on the grounds already stated.

Mr. WALTER. It would be quite helpful to the American people if they knew how many of these peace conferences were Communist fronts and Communist movements and what were the genuine efforts

¹ Retained in committee files.

to obtain peace, and you are in the very peculiar position now to help this committee and the American people in unmasking these phony peace movements.

Can't you think back through the 25th to the 27th of March, at the Waldorf-Astoria, in 1949?

Mr. CAZDEN. Is that a question addressed to me, sir?

Mr. WALTER. Yes.

Mr. CAZDEN. I decline to answer that question on the grounds already stated.

Mr. KUNZIG. I offer this program of Cultural and Scientific Conference for World Peace into evidence as Cazden Exhibit No. 3, Mr. Chairman, and the catalog entitled "Jefferson School of Social Science, for April 1947 to June 1947," as Cazden Exhibit No. 2.

Mr. VELDE. Without objection, Cazden Exhibits Nos. 2 and 3 will be admitted into the record.

(Document entitled "Jefferson School of Social Science, April-June, 1947," marked "Cazden Exhibit No. 2" for identification; and document entitled "Program, the Cultural and Scientific Conference for World Peace," marked "Cazden Exhibit No. 3" for identification, were received in evidence as Cazden Exhibits Nos. 2 and 3.)¹

Mr. KUNZIG. No. 1 is the Jefferson School, September to December 1947 term; No. 2 is the Jefferson School, April to June 1947 term; and No. 3 is the program of Cultural and Scientific Conference for World Peace.

Now, did you ever live in Maryland, Dr. Cazden?

Mr. CAZDEN. I lived in Maryland for about a year, school year, that is.

Mr. KUNZIG. Were you a member of the Citizens' Committee Against the Ober Law?

Mr. CAZDEN. I decline to answer that question on the grounds I have already stated.

Mr. KUNZIG. I have here a document marked "Cazden Exhibit No. 4" for identification, Mr. Chairman, Citizens' Committee Against the Ober Law, 14 East Pleasant Street, Baltimore 2, Md. Listed on the back is a partial list of hundreds of Maryland citizens who endorsed the referendum, among which is Dr. Norman Cazden's name.

Did you give permission for your name to be used for that purpose, Dr. Cazden?

Mr. CAZDEN. I decline to answer that question on the grounds already stated.

Mr. KUNZIG. I offer Cazden Exhibit No. 4 into evidence, Mr. Chairman.

Mr. VELDE. Without objection, it will be admitted at this point.

(Document entitled "Citizens Committee Against the Ober Law," marked "Cazden Exhibit No. 4" for identification, was received in evidence as Cazden Exhibit No. 4.)¹

Mr. KUNZIG. What connection did you ever have, Dr. Cazden, with Masses and Mainstream?

Mr. CAZDEN. I decline to answer that question on the grounds already stated.

Mr. KUNZIG. The record will show, of course, that it is a cited publication.

¹ Retained in committee files.

Did you have any connection with the Masses and Mainstream Arts Forums in its first forum series featuring subjects and issues which have aroused discussion among artists and audiences in recent months?

Are you the Norman Cazden, composer?

Mr. CAZDEN. I decline to answer that question for the reasons already set forth.

Mr. KUNZIG. This is as listed in the Daily Worker of April 12, 1948.

I offer in evidence this page of the Daily Worker of April 12, 1948, as Cazden Exhibit No. 5, Mr. Chairman.

Mr. VELDE. Without objection, it will be received into evidence at this point.

(Copy of a page of the Daily Worker of April 12, 1948, marked "Cazden Exhibit No. 5" for identification, was received in evidence as Cazden Exhibit No. 5.)¹

Mr. KUNZIG. Were you connected with the Young Progressives at Michigan?

Mr. CAZDEN. I decline to answer that question for the reasons already set forth.

Mr. KUNZIG. Isn't it a fact that you were a faculty adviser for the Young Progressives at the University of Michigan?

Mr. CAZDEN. I decline to answer that question for the reasons already set forth.

Mr. KUNZIG. Can you tell me whether it was a custom at the University of Michigan to have a member of the Communist Party as a member of the faculty advisers for the Young Progressives?

Mr. CAZDEN. I do not know the customs of that college.

Mr. KUNZIG. Were you a member of the Communist Party at the same time you were a faculty adviser for the Young Progressives?

Mr. CAZDEN. I decline to answer that question for the reasons already set forth.

Mr. KUNZIG. Were you a member of the University of Michigan chapter of the Arts, Sciences, and Professions?

Mr. CAZDEN. I decline to answer that question for the reasons already set forth.

Mr. KUNZIG. The national chapter of that, of course, is a cited front organization.

If you know, what control did the Communist Party play in the Michigan chapter of the Arts, Sciences, and Professions?

Mr. CAZDEN. I decline to answer that question for the reasons already set forth.

Mr. KUNZIG. Mr. Chairman, there is a pile here, as you can see, of this same type of thing that we have already been discussing, all similar Communist cited papers, documents, organizations. I suggest there is no further gain to be gotten by questioning this witness any further, and I have no further questions.

Mr. VELDE. The Chair agrees with counsel, and I am sure Mr. Walter does, too.

Do you have any further questions, Mr. Walter?

Mr. WALTER. Let me see that Jefferson School document.

Mr. VELDE. The only thing, Professor Cazden, I might say on behalf of my alma mater, the University of Illinois, is that I am very

¹ Retained in committee files.

sorry they saw fit to hire you and very happy they didn't see fit to renew your contract.

Call your next witness.

Mr. KUNZIG. Mr. Beberfall.

Mr. VELDE. In the testimony you are about to give before this subcommittee, do you solemnly swear you will tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. BEBERFALL. I do.

Mr. VELDE. Be seated.

TESTIMONY OF LESTER BEBERFALL, ACCOMPANIED BY HIS COUNSEL, A. HARRY LEVITAN

Mr. KUNZIG. Would you state your full name, Mr. Beberfall.

Mr. BEBERFALL. Lester Beberfall, B-e-b-e-r-f-a-l-l.

Mr. KUNZIG. What is your present address, Mr. Beberfall?

Mr. BEBERFALL. 3206 Turner Street, Philadelphia.

Mr. KUNZIG. Turner Street, Philadelphia?

Mr. BEBERFALL. Yes.

Mr. KUNZIG. What part of Philadelphia is that, west, north, south?

Mr. BEBERFALL. It is northwest—north central, I guess.

Mr. KUNZIG. Would counsel please state his name and office address for the record.

Mr. LEVITAN. A. Harry Levitan, L-e-v-i-t-a-n, 1412 Fox Building, Philadelphia 3.

Mr. KUNZIG. Now, Mr. Beberfall, would you give the committee a brief résumé of your schooling and formal educational background?

Mr. BEBERFALL. Manual Training High School, in Brooklyn, N. Y.; City College of New York, bachelor of science in English; University of Michigan, master of arts in Spanish; University of Michigan, doctor of philosophy, romance languages and literature.

Mr. KUNZIG. What year did you get your Ph. D. from Michigan?

Mr. BEBERFALL. 1952.

Mr. KUNZIG. Were you at Michigan during the years 1948, 1949, 1950?

Mr. BEBERFALL. Yes, 1948, 1949, 1950.

Mr. KUNZIG. Would you give the committee a brief résumé of your employment after finishing your schooling.

Mr. BEBERFALL. The Wayne University in Detroit.

Mr. KUNZIG. What did you do there?

Mr. BEBERFALL. Instructor in Spanish.

Mr. KUNZIG. And then where?

Mr. BEBERFALL. Texas A. and M. College, instructor in Spanish and German.

Mr. KUNZIG. Then where?

Mr. BEBERFALL. Spring City High School, Spring City, Pa.

Mr. KUNZIG. Is that where you are employed at the present time?

Mr. BEBERFALL. Yes.

Mr. KUNZIG. You teach at Spring City High School?

Mr. BEBERFALL. That is right.

Mr. KUNZIG. Where is Spring City, Pa.?

Mr. BEBERFALL. Chester County.

Mr. KUNZIG. That is just outside Philadelphia a little ways?

Mr. BEBERFALL. Thirty miles.

Mr. KUNZIG. Thirty miles from Philadelphia. What do you teach at this high school?

Mr. BEBERFALL. Spanish, Latin, English.

Mr. KUNZIG. Now, you were present, were you, in this hearing room this morning and heard the testimony of Mr. Crowley?

Mr. BEBERFALL. Yes, I was.

Mr. KUNZIG. Were you present when Mr. Crowley said he knew Lester Beberfall as a member of the Communist Party?

Mr. BEBERFALL. I heard that said.

Mr. KUNZIG. Did you ever know Mr. Crowley? I am just asking you now whether you ever knew Mr. Crowley out at Michigan.

Mr. BEBERFALL. I respectfully decline to answer that question on the privilege granted to me by the fifth amendment.

Mr. KUNZIG. Have you ever been a member of the Communist Party?

Mr. BEBERFALL. I decline to answer that question for the same reason.

Mr. KUNZIG. Are you now a member of the Communist Party?

Mr. BEBERFALL. I am not a member of the Communist Party now.

Mr. KUNZIG. Were you a member of the Communist Party in 1953?

Mr. BEBERFALL. I decline to answer that question for the same reason.

Mr. KUNZIG. Now, you said you are not now a member of the Communist Party. Were you a member of the Communist Party in January of 1954?

Mr. BEBERFALL. January 1954?

(At this point Mr. Beberfall conferred with Mr. Levitan.)

Mr. KUNZIG. Think back as to when you got out.

(At this point Mr. Beberfall conferred with Mr. Levitan.)

Mr. KUNZIG. January 1954 was the question.

Mr. BEBERFALL. January 1954?

Mr. KUNZIG. Were you a member of the Communist Party in January 1954?

Mr. BEBERFALL. No, I was not.

Mr. KUNZIG. Now, I have already asked you and you refused to answer on the grounds of the fifth amendment, as to 1953. Were you a member of the Communist Party in December 1953?

Mr. BEBERFALL. No, I was not.

Mr. KUNZIG. You were not. How about November of 1953?

Mr. BEBERFALL. No, I was not.

Mr. KUNZIG. How about October 1953?

Mr. WALTER. Couldn't we save a lot of time by asking him when he got out? I think that would be the most direct way to do it.

Mr. VELDE. I do, too, if he would answer.

Mr. WALTER. When did you get out of the Communist Party?

(At this point Mr. Beberfall conferred with Mr. Levitan.)

Mr. BEBERFALL. I decline to answer that question under the privilege granted under the fifth amendment of the Constitution.

Mr. KUNZIG. Then we will go back through the dates.

October of 1953; have you given an answer on October of 1953?

Mr. BEBERFALL. Yes, I did.

Mr. KUNZIG. What was it?

Mr. BEBERFALL. The answer was "No."

Mr. KUNZIG. All right. September of 1953?

Mr. BEBERFALL. The answer is "No."

Mr. VELDE. What was the answer?

Mr. KUNZIG. No.

August of 1953?

Mr. BEBERFALL. I decline to answer.

Mr. KUNZIG. All right. You decline to answer in August of 1953, and you say you were not a member in September of 1953, so you are saying that at the beginning of the term of instruction of September 1953 going up to the present time, the term that has just ended now in June of 1954, you will say "No," you were not a member of the Communist Party, but in August 1953, and any time prior to that you refuse to answer on the grounds it might incriminate you; is that correct?

Mr. BEBERFALL. That is right.

Mr. KUNZIG. Now, when did you take the Pennsylvania loyalty oath required by law?

Mr. BEBERFALL. September 1953.

Mr. KUNZIG. September 1953?

Mr. BEBERFALL. That is right.

Mr. KUNZIG. Did that have anything to do with the reason for your having said "No" from that time on?

(At this point Mr. Beberfall conferred with Mr. Levitan.)

Mr. BEBERFALL. I decline to answer.

Mr. KUNZIG. When you were at Michigan were you ever a member of the Ralph Neafus Club of the Communist Party?

Mr. BEBERFALL. I decline to answer on the basis of the fifth amendment.

Mr. KUNZIG. Did you ever hear of the Ralph Neafus Club of the Communist Party when you were at Michigan?

Mr. BEBERFALL. I decline to answer on the same grounds.

Mr. KUNZIG. Were you ever a member of the Haldane Club, H-a-l-d-a-n-e Club, of the Communist Party?

Mr. BEBERFALL. I respectfully decline for the same reason.

Mr. KUNZIG. Were you in the armed services during the war, Mr. Beberfall?

Mr. BEBERFALL. Yes, I was.

Mr. KUNZIG. What service were you in?

Mr. BEBERFALL. Army.

Mr. KUNZIG. In the Army?

Mr. BEBERFALL. Yes, sir.

Mr. KUNZIG. For how long?

Mr. BEBERFALL. Three years and four months.

Mr. KUNZIG. What branch of the Army?

Mr. BEBERFALL. Infantry.

Mr. KUNZIG. Were you a member of the Communist Party when you were a member of the Infantry of the United States Army?

Mr. BEBERFALL. I decline to answer upon the basis of the fifth amendment.

Mr. KUNZIG. Were you ever assigned any intelligence work of any kind?

(At this point Mr. Beberfall conferred with Mr. Levitan.)

Mr. BEBERFALL. I couldn't answer that question immediately because there was a question in my own mind.

I had an unofficial attachment with the Counterintelligence Corps.

Mr. KUNZIG. You had an unofficial attachment with the Counterintelligence Corps?

Mr. BEBERFALL. That is right. I was in the infantry and I was not trained for that.

Mr. KUNZIG. Now, you say that during the time you were in the infantry you had an unofficial attachment with the Counterintelligence Corps. Isn't it a fact that on your application for the Graduate School of the University of Michigan you stated that from 1942 to 1945 you were in the Armed Services of the United States and were a member of the Counterintelligence Corps?

Mr. BEBERFALL. That may be true, but on the application form the space is so limited you can't write all that.

Mr. KUNZIG. Well, the word "member" is even shorter than "unofficial attachment with the Counterintelligence Corps."

Mr. BEBERFALL. Well, the regular members considered me a member, but I was not trained for that.

Mr. KUNZIG. Did you work at all in Counterintelligence?

Mr. BEBERFALL. Yes.

Mr. KUNZIG. And were you a member of the Communist Party while you were working in Counterintelligence?

Mr. BEBERFALL. I decline to answer that on the basis of the fifth amendment.

Mr. VELDE. That is Counterintelligence of the United States Army?

Mr. BEBERFALL. That is right.

Mr. KUNZIG. Were you ever a candidate for any office?

(At this point Mr. Beberfall conferred with Mr. Levitan.)

Mr. BEBERFALL. I decline to answer that on the basis of the fifth amendment.

Mr. KUNZIG. Isn't it a fact that in April 1949 you were a candidate for the Ann Arbor City Council for the seventh ward?

I have a picture of you sitting with the other candidates. Do you want to look at it? It is exhibit 1 for identification.

(At this point Mr. Beberfall conferred with Mr. Levitan.)

Mr. BEBERFALL. I decline to answer that question on the basis of the fifth amendment.

Mr. KUNZIG. I offer this in evidence as Beberfall Exhibit No. 1, Mr. Chairman. It is a throwaway handbill for the Progressive Party candidates, April 1949, in the Ann Arbor City Council.

Mr. DOYLE. At that time had the Progressive Party been declared subversive?

Mr. KUNZIG. Not that I know of. There is no reason for him not to answer that question.

Mr. DOYLE. I bring that out; I hadn't been aware that it had been declared subversive, and I was wondering why we are questioning him as to whether or not he was a candidate for that party if it hadn't been declared a subversive organization. Why should we question him about it? I don't think—

Mr. KUNZIG. There has been testimony, I think many times, before this committee, Mr. Doyle, that the Communist Party had great influence and control in the Progressive Party.

Mr. DOYLE. I know, but that is no sign the Progressive Party was communistic because the Communists had great influence over it.

Mr. KUNZIG. No, but we have the right to ask.

Mr. VELDE. May I say this to the gentleman from California. It is only by asking about the Communist influence in the Progressive Party that eventually we will be able to determine that it is a branch of the Communist Party. It is the only way we have been able to determine any of our subversive groups were dominated by the Communist Party.

Mr. DOYLE. I know the Attorney General makes a ruling on his investigation, but I haven't learned that it was mandatory to learn about membership in groups which have not been declared subversive.

Mr. KUNZIG. Mr. Doyle, it is a different type of question.

Mr. VELDE. How could we declare an organization was subversive if we didn't have evidence there was a tendency—

Mr. DOYLE. As you know, I have interrogated witnesses as to the extent the Communist Party had influence on the Progressive Party activities, but I—

Mr. VELDE. Well, if the gentleman from California remembers the testimony of Mrs. Hartle—

Mr. DOYLE. I remember it very well.

Mr. VELDE. It mentions the influence the Communists had in the Progressive Party.

Mr. DOYLE. And that applied to a chapter up in the Northwest.

Mr. KUNZIG. Did you ever know Chuck Bisdee who was also identified here as a member of the Communist Party this morning?

Mr. BEBERFALL. I decline to answer that question for the same reasons given before.

Mr. KUNZIG. I have here a copy of the Daily Worker of New York, Tuesday, December 28, 1948, and the headline on page 6 reads "Civil rights plea for 12 wins more signers in U. of M. The Washtenaw County Committee for Democratic Rights, of which University of Michigan professors, Brumm and Kaplan are chairmen, announced that 12 more prominent individuals had signed a telegram to President Truman condemning the indictments of the 12 leaders of the Communist Party." and so forth.

It adds, "Those who added their names to the list are—" and on that is "Lester Beberfall, instructor."

Did you sign a telegram to President Truman condemning the indictments of the 12 leaders of the Communist Party?

Mr. BEBERFALL. I decline to answer that question for the reasons given.

Mr. KUNZIG. Mr. Chairman, I offer in evidence this page of the Daily Worker as Beberfall Exhibit 2.

Mr. VELDE. You don't want the whole page, just the article?

Mr. KUNZIG. The excerpt from this page.

Mr. VELDE. Without objection, the article will be introduced in evidence at this point.

(The article above referred to on page 6 of the Daily Worker of December 28, 1948, marked "Beberfall Exhibit No. 2" for identification, was received in evidence as Beberfall Exhibit No. 2.)¹

Mr. KUNZIG. I don't believe, Mr. Chairman, that Beberfall Exhibit No. 1 was received in evidence. I ask that it be received at this time.

Mr. VELDE. Without objection, it will be received in the record at this point.

¹ Retained in committee files.

(Document entitled "Vote Progressive, Monday, April 4, 1949," marked "Beberfall Exhibit No. 1" for identification, was received in evidence as Beberfall Exhibit No. 1.)¹

Mr. KUNZIG. I have no further questions.

Mr. VELDE. Do you have further questions, Mr. Walter?

Mr. WALTER. No. I was just looking at the list of people that signed that.

Mr. VELDE. Mr. Doyle?

Mr. DOYLE. May I have that photostat of the gentleman as a candidate for the council?

Mr. KUNZIG. Yes, sir, exhibit no. 1 for identification.

Mr. DOYLE. I have in my hand, Witness, this photostat which says "Vote Progressive, Monday, April 4th, 1949."

I am looking at you in the picture, and I would say it is apparently a picture of you. At the time were you a member of the Communist Party, on Monday, April 4, 1949?

Mr. BEBERFALL. I decline to answer that question for the reasons given before.

Mr. DOYLE. Then probably my observations previously made were not exactly pertinent, because we are interested in knowing the extent to which the Communist Party was infiltrating and trying to take over control of the Progressive Party.

Mr. VELDE. Do you have anything further?

Mr. DOYLE. I assume if you were a member of the Communist Party on that date you do know it was part of the program, the Communist Party in some parts of the country, at least, to take over control of the Progressive Party.

Mr. VELDE. Do you have anything further of this witness?

Mr. KUNZIG. Nothing.

Mr. VELDE. If not, the witness is excused.

Call your next witness.

Mr. KUNZIG. Mr. Lloyd Barenblatt.

Mr. VELDE. In the testimony you are about to give before this subcommittee, do you solemnly swear you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BARENBLATT. I do.

Mr. VELDE. Be seated.

TESTIMONY OF LLOYD BARENBLATT, ACCOMPANIED BY HIS COUNSEL, PHILIP WITTENBERG

Mr. KUNZIG. Would you state your full name, please, sir?

Mr. BARENBLATT. My name is Lloyd Barenblatt, B-a-r-e-n-b-l-a-t-t.

Mr. KUNZIG. What is your present address, sir?

Mr. BARENBLATT. My present address is Route No. 2, Pleasant Valley, N. Y.

Mr. KUNZIG. Mr. Barenblatt, I see that you are accompanied by counsel.

Would counsel please state his name and office address for the record.

Mr. WITTENBERG. Philip Wittenberg, W-i-t-t-e-n-b-e-r-g, 70 West 40th Street, New York City, N. Y.

Mr. KUNZIG. Thank you, sir.

¹ Retained in committee files.

Mr. Barenblatt, will you give the committee a brief résumé of your educational background?

Mr. BARENBLATT. Yes, sir. I suppose they want me to begin at the high school level?

Mr. KUNZIG. Fine.

Mr. BARENBLATT. I attended Clinton High School in New York City.

Mr. KUNZIG. When did you graduate?

Mr. BARENBLATT. January 1940, as I recall. I then enrolled as a student at the College of the City of New York; that was in February 1940.

I left the College of the City of New York for one semester. I enrolled in the United States Maritime Service. When there I was struck with spinal meningitis. I left the Maritime Service to recuperate, and went back to school while I was convalescing. My classification was 4-F. However, as soon as I felt better I appeared for voluntary induction into the United States Army for aviation cadet training.

Mr. KUNZIG. What is your present age, Mr. Barenblatt?

Mr. BARENBLATT. 31, sir.

Mr. KUNZIG. Have you completed your formal education?

Mr. BARENBLATT. Well, I still intend to complete the requirements for a doctor of philosophy degree. I have a bachelor's degree from City College.

I am sorry. I didn't finish my educational background.

Mr. KUNZIG. Go right ahead.

Mr. BARENBLATT. It was an oversight on my part. Excuse me.

Mr. KUNZIG. All right.

Mr. BARENBLATT. I attended the University of Iowa when I was discharged from the Army. I spent a year and a half, I believe, at the University of Iowa.

In the summer of 1947 I enrolled in the University of Michigan in the graduate school of studies for the purpose of working for the Ph. D. in social psychology.

Mr. KUNZIG. What period of time exactly were you at the University of Michigan?

Mr. BARENBLATT. I was in residence at the University of Michigan from the summer of 1947 until the spring semester of 1950.

Mr. KUNZIG. Did you know Francis Crowley at that time, who testified here this morning?

Mr. BARENBLATT. Sir, I would like here to state my objections to the power and jurisdiction of this committee to inquire into my political beliefs, my religious beliefs, and any other personal and private affairs of my—

Mr. KUNZIG. Just a minute. I asked you a very simple question, which I don't think has anything to do with religious beliefs, or all the other beliefs you mentioned.

Do you know Francis Crowley?

Mr. BARENBLATT. Yes.

Mr. KUNZIG. You do know him?

Mr. KUNZIG. You can hold that for a minute. I will get around to it in a minute.

Now, did you hear Crowley testify this morning?

Mr. BARENBLATT. Yes, sir.

Mr. KUNZIG. You heard him identify Lloyd Barenblatt as a person he knew to have been a member of the Communist Party?

Mr. BARENBLATT. I believe I heard him to say, I believe his words were more in the way of saying that I was a member of the Haldane Club. I don't recall exactly his saying that I was a member of the Communist Party. However, I suppose the record will show that.

Mr. KUNZIG. The record shows the Haldane Club meant the Haldane Club of the Communist Party.

Mr. VELDE. And I think that was made clear in his previous testimony.

Mr. BARENBLATT. If the record so states, I don't remember, sir.

Mr. KUNZIG. It does.

Now, were you a member of the Haldane Club of the Communist Party at Michigan?

(At this point Mr. Barenblatt conferred with Mr. Wittenberg.)

Mr. BARENBLATT. At this point I respectfully would like to object to the questions——

Mr. DOYLE. Mr. Chairman——

Mr. VELDE. All right. You have the floor.

Mr. DOYLE. Before the young man takes the time of the committee to read that, whatever it is, may I just urge you to think even more seriously than you have about whatever position you are going to take before this committee.

I know you have competent counsel, and of course you should rely on him, possibly, but I anticipate you might be preparing yourself to take the position opposite to that of cooperation with the committee.

I am in no position to give you legal advice, but I know from the record that you are an instructor in a certain very distinguished college, by reputation, at least, and wouldn't it be a magnificent thing if you could take the position that if you ever were a member of the Communist Party, that you say so frankly and clean up and get out of that embarrassing situation and then start from there? Wouldn't that do you and the country a lot more good today——

(At this point Mr. Barenblatt conferred with Mr. Wittenberg.)

Mr. DOYLE. Or put it on this basis. Wouldn't it do your country a lot more good?

Mr. BARENBLATT. I appreciate your concern, sir.

Mr. DOYLE. I am opening the door for you, sir.

Mr. BARENBLATT. I understand, sir. However, I feel that this statement of objection which I am about to read might explain some things to the members of the committee.

Mr. DOYLE. Well, as a young man you can never say now that we haven't opened the door deliberately, and maybe I am embarrassed before the committee at this point——

Mr. VELDE. You certainly have given him every opportunity, Mr. Doyle, and I think he has had every opportunity before to come clean. Let me say this about this statement you are about to read.

You are familiar with the rules of this committee——

Mr. BARENBLATT. I believe so, sir.

Mr. VELDE. The committee made them some time ago. And are you familiar with rule 9 concerning statements by witnesses?

(At this point Mr. Barenblatt conferred with Mr. Wittenberg.)

Mr. VELDE. If not, let me read them again. [Reading:]

Any witness desiring to make a prepared or written statement for the record of the proceedings in executive or public sessions shall file a copy of such statement with the counsel of the committee within a reasonable period of time in advance of the hearing at which the statement is to be presented.

All such statements so received which are relevant and germane to the subject of the investigation may, upon approval, at the conclusion of the testimony of the witness, by a majority vote of the committee or subcommittee members present, be inserted in the official transcript of the proceedings.

It is my feeling, and I am sure the other members agree, that your submitting the statement at the present time is not a reasonable time prior to the hearing. Now——

Mr. BARENBLATT. May I say this——

Mr. VELDE. Now, let me ask you one question. If you answer in the affirmative or in the negative, either one, then I believe that the committee would be very willing to let you read this statement.

Are you now a member of the Communist Party?

(At this point Mr. Barenblatt conferred with Mr. Wittenberg.)

Mr. BARENBLATT. Sir, this is an objection to the questions asked by the committee.

Mr. VELDE. I realize——

Mr. BARENBLATT. It is not a preliminary statement——

(At this point Mr. Barenblatt conferred with Mr. Wittenberg.)

Mr. BARENBLATT. And I ask for leave to read the objections.

Mr. VELDE. It is assumed by the committee to be a preliminary statement.

Now, will you answer the question if you are a member of the Communist Party at the present time?

(At this point Mr. Barenblatt conferred with Mr. Wittenberg.)

Mr. BARENBLATT. I object on the following grounds——

Mr. KUNZIG. Mr. Chairman, he is about to read an 11-page legal brief. This is obviously a delaying tactic.

Mr. VELDE. I am not going to let him do it. The committee will take the statement up in executive session and determine if it should be placed in the record.

Mr. BARENBLATT. But, sir, I believe I have a right to state my objections to the question. That is all I am doing.

Mr. VELDE. You will be given that right if you will answer the question in the affirmative or the negative.

(At this point Mr. Barenblatt conferred with Mr. Wittenberg.)

Mr. BARENBLATT. What is the question?

Mr. VELDE. Whether you are a member of the Communist Party at the present time.

Mr. BARENBLATT. May I confer with counsel?

(At this point Mr. Barenblatt conferred with Mr. Wittenberg.)

Mr. BARENBLATT. I object to this on the grounds that I will state and that I have handed to the committee.

Mr. WALTER. Never mind objecting. Do you decline to answer?

(At this point Mr. Barenblatt conferred with Mr. Wittenberg.)

Mr. BARENBLATT. I do not decline to answer. I am objecting to the question.

Mr. VELDE. Then will you answer?

Mr. BARENBLATT. I am objecting to the question, sir. I wish that I might make that clear. I don't see what the trouble is about stating

my grounds for objection. I notice that the other witnesses have been able to do so, and I wish to claim the privilege——

MR. KUNZIG. The other witnesses didn't decline to answer. Do you decline to answer?

(At this point Mr. Barenblatt conferred with Mr. Wittenberg.)

MR. BARENBLATT. I decline to answer——

MR. VELDE. Now, Mr. Witness, perhaps you are not familiar with the procedure before a congressional committee. It is entirely different than before a court of law. This is not a court of law. Your privileges are set up in the rules of the committee, and I assume you have a copy of the rules of the committee.

MR. WITTENBERG. I have, sir.

MR. VELDE. And we cannot have counsel putting the answers into the witness' mouth. You have a right to confer with your witness as far as his constitutional rights are concerned, but you have spoken loud enough to show that you are trying to get the witness to read this statement. Obviously——

MR. WITTENBERG. Sir, that would be my advice to him.

MR. KUNZIG. Now, he had started to say, Mr. Chairman, he declines to answer the question as to whether he is now a member of the Communist Party.

Now, do you so decline on the grounds of the fifth amendment, among other things, in this statement?

MR. BARENBLATT. I wish to confer with my counsel, please.

(At this point Mr. Barenblatt conferred with Mr. Wittenberg.)

MR. BARENBLATT. I do not invoke the fifth amendment in declining to answer. I decline to answer on the grounds stated in my objections as presented to the members of this committee, which you have not allowed me to read.

MR. WALTER. Now, may I inform you that you haven't the right to decline to answer by virtue of any decision of the court. It is because of the Constitution.

Now, do you decline to answer because of the constitutional provision?

(At this point Mr. Barenblatt conferred with Mr. Wittenberg.)

MR. BARENBLATT. May I consult with counsel, sir.

(At this point Mr. Barenblatt conferred with Mr. Wittenberg.)

MR. BARENBLATT. I am declining to answer on constitutional grounds as stated in my objections.

MR. VELDE. But you do not include the fifth amendment in your reasons in declining; is that right?

MR. BARENBLATT. You are correct, sir.

MR. KUNZIG. Are you stating in this document which you have just handed to us, and which we have had no time to look at at all, that the fifth amendment is not included?

(At this point Mr. Barenblatt conferred with Mr. Wittenberg.)

MR. BARENBLATT. Not included in my list of objections.

MR. KUNZIG. So you are declining to answer the question as to whether you are now a member of the Communist Party, and you are specifically not giving the fifth amendment as a reason for declining?

MR. BARENBLATT. That is correct, sir.

MR. KUNZIG. All right. Now, Mr. Chairman, I respectfully request that the witness be directed to answer the question: Are you now a member of the Communist Party?

Mr. VELDE. The witness is directed by the Chair to answer that question.

Mr. BARENBLATT. I would like to consult with counsel, sir.

(At this point Mr. Barenblatt conferred with Mr. Wittenberg.)

Mr. BARENBLATT. I decline to answer on the following grounds:

I, Lloyd Barenblatt, having been subpoenaed before the Committee on Un-American Activities, by subpoena dated the 28th day of May 1954—

Mr. VELDE. Now, you have gone far enough with the statement. You are trying to read it into the record.

Mr. BARENBLATT. May I continue with my grounds—

Mr. VELDE. I say the statement is accepted by the committee and will be considered for insertion in the record.

Now, proceed with your answer.

Mr. BARENBLATT. This is not a statement, not a preliminary statement. This is the grounds—

Mr. VELDE. Whatever you want to call it.

Mr. BARENBLATT. I would like to get it into the record.

Mr. VELDE. Whatever you want to call this, if it is a statement of objections, it will be considered by the committee at a future time for insertion into the record.

Now, will you answer the question?

Mr. BARENBLATT. May I consult with counsel?

(At this point Mr. Barenblatt conferred with Mr. Wittenberg.)

Mr. BARENBLATT. I am objecting on these grounds, and I will not answer any questions about which the list of objections is read: my political beliefs; my religious beliefs; any other personal and private affairs; my associational activities.

I will not answer any of those questions on the grounds of my objections in this statement which I again respectfully request that I be able to read at this point to get into the record the objections so that we can proceed from that point.

Mr. WALTER. We will spare you a lot of time.

I have read this, so a member of the committee is well acquainted with what is in it.

Now, let's proceed.

Mr. VELDE. I want to know this from the witness.

In refusing to answer this question upon direction by the Chair, you are not relying upon the fifth amendment to the Constitution?

Mr. BARENBLATT. You are correct, sir.

Mr. VELDE. All right. Proceed.

Mr. KUNZIG. And at no time in this interrogation of you today, at no time in your appearance before the House Committee on Un-American Activities, are you relying on the fifth amendment?

Mr. BARENBLATT. I can't make any statement about what might occur in the future, sir. All I can say at this point, I have no anticipation now of doing so.

Mr. DOYLE. At least today you are not relying on it, at this time?

Mr. BARENBLATT. All I can talk about is the present—

(At this point Mr. Barenblatt conferred with Mr. Wittenberg.)

Mr. KUNZIG. Mr. Chairman, I respectfully request that since the witness has asked to be able to put this document into the record as his reason for not answering the question that he has been asked,

which is, Are you now a member of the Communist Party, which he was directed to answer and which he refused again to answer, I respectfully request that this document be included in the record as his reason for not answering.

Mr. VELDE. Yes. I have not had an opportunity to read the full statement, but I am going to take the word of my colleague from Pennsylvania and my colleague from California, and without objection, at this point the objections or statement, or whatever the witness wants to call it, will be inserted into the record as Barenblatt Exhibit No. 1.

(The document headed "Objection to Jurisdiction of the Committee on Un-American Activities and to Questions Propounded by It," was received in evidence as Barenblatt Exhibit No. 1.)

BARENBLATT EXHIBIT NO. 1

OBJECTION TO JURISDICTION OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES AND TO QUESTIONS PROPOUNDED BY IT

1. I, Lloyd Barenblatt, having been subpoenaed before the Committee on Un-American Activities, by subpoena dated the 28th day of May 1954, returnable on the 28th day of June 1954, hereby respectfully object to the power and jurisdiction of this committee to inquire into—

- (a) My political beliefs;
- (b) My religious beliefs;
- (c) Any other personal and private affairs;
- (d) My associational activities.

2. I am a private citizen engaged in work in the fields of education and research, and in writing and speaking in connection therewith. I hold no office of public honor or trust. I am not employed by any governmental department. I am not under salary or grant from any governmental department.

3. The grounds of my objection are as follows:

A. Any investigation into my political beliefs, my religious beliefs, any other personal and private affairs, and my associational activities, is an inquiry into personal and private affairs which is beyond the powers of this committee. I rely not upon my own opinion but upon statements contained in the opinions of the Supreme Court of the United States. Among others, in *United States v. Rumely* (345 U. S. 41, 58), the Supreme Court of the United States said in a concurring opinion by Mr. Justice Douglas: "The power of investigation is also limited. Inquiry into personal and private affairs is precluded."

In *McGrain v. Daugherty* (273 U. S. 135), the Court said: "Neither House is invested with 'general' power to inquire into private affairs and to compel disclosures."

And in *Kilbourn v. Thompson* (103 U. S. 168), the Court said:

"Neither the Senate nor the House of Representatives 'possesses the general power of making inquiry into the private affairs of the citizens'."

In *West Virginia State Board of Education v. Barnette* (319 U. S. 624), the Court, in an opinion by Mr. Justice Jackson said:

"If there is any fixed star in our constitutional constellation it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion or other matters of opinion or force citizens to confess by word or act their faith therein."

It follows therefore that this committee is without power to examine into my political, religious, associational and private affairs.

B. The right to refuse to answer to any official, or indeed to anyone, with regard to one's personal affairs is a valuable right in a democracy which ought not lightly be ceded, or indeed ought ever be impinged upon by any public official. The Congress of the United States is composed of elected officials who have no power to intrude into the private affairs of American citizens. They cannot by resolution increase their constitutional authority. As was said by the Supreme Court of the United States in *Jones v. Securities & Exchange Commission* (298 U. S. 1):

"The citizen when interrogated about his private affairs has a right before answering to know why the inquiry is made; and if the purpose disclosed is not a legitimate one, he may not be compelled to answer."

And again in *McGrain v. Daugherty* (273 U. S. 135): "That a witness rightfully may refuse to answer where the bounds of the power are exceeded."

It was said by Mr. Justice Frankfurter in *United States v. United Mine Workers of America* (330 U. S. 258, 307):

"The historic phrase 'government of laws and not of men' epitomizes the distinguishing character of our political society." * * * "A government of laws and not of men" was the rejection in positive terms of rule by fiat, whether by the fiat of governmental or private power. Every act of Government may be challenged by an appeal to law, as finally pronounced by this Court."

And again in *Youngstown Sheet & Tube Co. v. Sawyer* (343 U. S. 579):

"The accretion of dangerous power does not come in a day. It does come, however slowly, from the generative force of unchecked disregard of the restrictions that fence in even the most disinterested assertions of authority."

Within the meaning of these decisions I regard it as one of the duties of a citizen of the United States to be vigilant against the accretion of dangerous power. I call to the attention of this Committee the opinion of Mr. Justice Douglas in *Youngstown Sheet & Tube Co. v. Sawyer* (343 U. S. 579), that even the cold war and the emergencies said to have been created thereby "did not create power."

C. Under the first amendment to the Constitution the power of investigation by Congress in matters involving freedom of speech and freedom of the press is limited. There can be no investigation except for the purpose of legislation. As was said by Mr. Justice Van Devanter in *McGrain v. Daugherty* (273 U. S. 135, 178):

"The only legitimate object the Senate could have in ordering the investigation was to aid it in legislating."

The Congress of the United States has no constitutional right to legislate with regard to prior restraint on utterance in either form; and as to any books already written or statements made, no ex post facto law can be passed determining innocence or criminality, and therefore any investigations into my writings or speech or communications is beyond the power of this committee. As was said by Mr. Justice Douglas in *United States v. Rumely* (345 U. S. 41, 58):

"Through the harassment of hearings, investigations, reports, and subpoenas Government will hold a club over speech and over the press. Congress could not do this by law. The power of investigation is also limited. Inquiry into personal and private affairs is precluded."

D. Under our Constitution our Government is a government of limited powers, tripartite in form, consisting of the legislative, the judicial, and the executive. This separation is fundamental to the preservation of the rights of the people in order that no one department may, through its power, rise to become a despotic arbiter. This committee through this investigation into my political, associational, religious, and private affairs trespassed upon the judicial department and has caused a lack of balance of power which constitutes a threat to my liberty as an American citizen and is an unconstitutional usurpation. This usurpation has reached the point where the Supreme Court of the United States in *United States v. Rumely* (345 U. S. 41, 44), said:

"And so, we would have to be that 'blind' court, against which Mr. Chief Justice Taft admonished in a famous passage, that does not see what all others can see and understand' not to know that there is wide concern, both in and out of Congress, over some aspects of the exercise of the Congressional power of investigation."

No place is that usurpation better seen than in the trespassing by the legislature upon the judiciary. As was said in *Lichter v. United States* (334 U. S. 742, 779):

"In peace or in war it is essential that the constitution be scrupulously obeyed, and particularly that the respective branches of the Government keep within the powers assigned to each by the Constitution."

And again in *Myers v. United States* (272 U. S. 52, 116), by Mr. Justice Taft:

"If there is a principle in our Constitution, indeed in any free Constitution more sacred than another, it is that which separates the legislative, executive, and judicial powers."

And again by Mr. Justice Brandeis in *Myers v. United States* (272 U. S. 52, 293, 71 L. ed 160):

"The doctrine of the separation of powers was adopted by the Convention of 1787 not to promote efficiency but to preclude the exercise of arbitrary power."

The purpose was not to fight friction but, by means of the inevitable friction incident to the distribution of the governmental powers among three departments, to save the people from autocracy."

And again in *Kilbourn v. Thompson* (103 U. S. 168) :

"It is believed to be one of the chief merits of the American system of written constitutional law that all the powers entrusted to governments, whether State or National, are divided into the three grand departments: the executive, the legislative, and the judicial. * * * It is also essential to the successful working of this system that the persons entrusted with power in any one of these branches shall not be permitted to encroach upon the powers confided to the others but that each shall by the law of its creation be limited to the exercise of the power appropriate to its own department and no other."

Not only did the founders of our Republic separate the departments of government, but they also limited the powers of each of those departments. It is a simple statement known to every American schoolchild that our Government consists of separate departments, that the powers of each of those departments is limited, and that all rights not granted to the Government are reserved to the people.

To be specific, Congress has the specific power to legislate granted to it by the Constitution. It has an implied power to investigate which, however, can be no broader than the power to legislate. In the absence of proposed legislation there can be no investigation, for all powers not expressly granted or necessarily implied are reserved to the people. Neither of the tripartite departments of our Government can claim any residual power as a basis for acting. In order that there might be no doubt about the limitations of power and the wish not to grant residual power the citizens of the several States insisted on the insertion in the Bill of Rights of amendment 9:

"The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people."

They reinforced amendment 9 by amendment 10:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

This Congress and the committees appointed by it can enjoy only the powers expressly granted in the Constitution or necessarily implied therefrom. Congressmen or committeemen thereof as officials of the Government do not have, and cannot arrogate to themselves, a power to intrude into the private affairs of the people of the United States, a power which the people reserve to themselves. The arrogation of power may be curtailed either by an appeal to the courts, or what is to be more hoped for, by the self-discipline of those entrusted with authority. The possibility of petty tyranny is ever present in a democracy unless the body of officialdom is wise and knows that self-limitation is essential to the success of our scheme of government. As Mr. Justice Frankfurter said in *Youngstown Sheet & Tube Co. v. Sawyer* (343 U. S. 579) :

"A constitutional democracy like ours is perhaps the most difficult of man's social arrangements to manage successfully. Our scheme of society is more dependent than any other form of government on knowledge and wisdom and self-discipline for the achievement of its aims."

But when such self-discipline is not apparent in the actions of any governing body then it becomes the duty of the citizen to challenge that act by an appeal to law. It is that duty which I here feel obliged to maintain. (See *United States v. United Mine Workers of America* (330 U. S. 258).)

This committee, by compelling me to leave my ordinary pursuits and to attend before it for the purpose of testifying with regard to my political beliefs, my religious beliefs, other personal and private affairs, and my associational activities, is acting as a judicial indicting and accusatory power. It is intruding into the judicial sphere and is following a practice which closely parallels the practices which resulted in bills of attainder being prohibited by our Constitution (art. I, sec. 10).

The present practices of this committee fall within the condemnation and prohibition of that section.

The Supreme Court said, in *United States v. Lovett* (328 U. S. 303, 317) :

"Those who wrote our Constitution well knew the danger inherent in special legislative acts which take away the life, liberty, or property of particular named persons, because the Legislature thinks them guilty of conduct which deserves punishment. They intended to safeguard the people of this country from punishment without trial by duly constituted courts. * * *

"And even the courts to which this important function was entrusted were commanded to stay their hands until and unless certain tested safeguards were observed. An accused in court must be tried by an impartial jury, has a right to be represented by counsel, he must be clearly informed of the charge against him, the law which he is charged with violating must have been passed before he committed the act charged, he must be confronted by the witnesses against him, he must not be compelled to incriminate himself. * * *

"Our ancestors had ample reason to know that legislative trials and punishments were too dangerous to liberty to exist in the nation of free men they envisioned. And so they proscribed bills of attainder."

But a bill of attainder need not be the specific bill of attainder referred to in the Constitution. It may be any legislative act taken in connection with known punishments which together constitute a deprivation of civil rights. So to ask me whether I am or have been a member of the Communist Party may have dire consequences. I might wish to defend myself by taking recourse to the protection of the provisions contained in the Bill of Rights or challenge the pertinency of the question to the investigation. Should I invoke the protection of the Bill of Rights and the Constitution I thereby place my livelihood and my position in society in a position of jeopardy. Many of our States, municipalities, educational institutions, the Federal Government itself, and even private employers, have adopted rules of exclusion from employment for persons taking recourse in the Bill of Rights or the Constitution.

The Supreme Court of the United States took cognizance of this condition in 1950, a time when it had not yet reached the full flavor of today. For in 1950, Mr. Justice Black concurring in *Joint Anti-Fascist Refugee Com. v. McGrath* (341 U. S. 123, 144, 145), said: "In this day when prejudice, hate, and fear are constantly invoked to justify irresponsible smears and persecution of persons even faintly suspected of entertaining unpopular views, it may be futile to suggest that the cause of internal security would be fostered, not hurt, by faithful adherence to our constitutional guaranties of individual liberty. Nevertheless, since prejudice manifests itself in much the same way in every age and country and since what has happened before can happen again, it surely should not be amiss to call attention to what has occurred when dominant governmental groups have been left free to give uncontrolled rein to their prejudices against unorthodox minorities. * * * Memories of such events were fresh in the minds of the founders when they forbade the use of the bill of attainder."

And he said further: "Moreover, officially prepared and proclaimed governmental blacklists possess almost every quality of bills of attainder, the use of which was from the beginning forbidden to both national and State governments. (United States Constitution, article I, sections 9, 10.)"

As was said in *United States v. Lovett* (328 U. S. 303, 324) cited by Mr. Justice Black in the preceding opinion:

"Figuratively speaking all discomfiting actions may be deemed punishment because it deprives of what otherwise would be enjoyed.

"The deprivation of any rights, civil or political previously enjoyed, may be punishment, the circumstances attending and the causes of the deprivation determining this fact."

Upon all the grounds aforesaid I object not only to the jurisdiction of this committee, but also to the questions propounded by it. This objection is made upon the advice of counsel as to my rights as provided for in rule VII of the rules of procedure of this committee.

Counsel who appear for me are Philip Wittenberg and Irving Like of 70 West 40th Street, Borough of Manhattan, New York City.

Mr. VELDE. Hereafter when you decline to answer a question, you may make your declination, in order to save time, on the basis of the statement of objections previously made.

Mr. KUNZIG. I think in order that the record may be clear, Mr. Chairman, the record should also show that the committee is bending over backward in fairness to this witness in spite of his violation of rule 9 of the committee.

He has been in possession of a copy of the rules as to how statements should be submitted and how a lengthy thing such as this statement should be submitted for a period, roughly, of a month.

Mr. BARENBLATT. May I say at this point, this is not my statement. It is my setting forth of my objections as the question is asked me before the committee.

I wish to comply with all the rules of this committee, and I respect them as set forth in this hearing. I certainly don't look upon myself as wilfully violating any rules, and I want to make it clear that this is not a preliminary statement before the committee, but it is the statement of my objections to the kinds of questions you are asking.

Mr. VELDE. Now, in order to clarify the point made by counsel, Mr. Barenblatt, you did receive a copy of the rules at the time you were served with a subpoena by this committee?

Mr. BARENBLATT. Yes, sir.

Mr. VELDE. And when were you served with your subpoena?

(At this point Mr. Barenblatt conferred with Mr. Wittenberg.)

Mr. BARENBLATT. It is about a month ago, sir; I don't remember the exact date.

Mr. VELDE. Mark that "Barenblatt Exhibit No. 2."

Without objection the subpoena and return thereon will be introduced into evidence at this point.

(The subpoena and return thereon above referred to, marked "Barenblatt Exhibit No. 2" for identification, was received in evidence as Barenblatt exhibit No. 2.)¹

Mr. VELDE. Now, at what time did you first give a copy of your objections, as you call them, to this committee or any member of its staff.

Mr. BARENBLATT. May I consult?

Mr. VELDE. Yes.

(At this point Mr. Barenblatt conferred with Mr. Wittenberg.)

Mr. BARENBLATT. In response to the question and objection thereto, I present the committee with these objections.

Mr. VELDE. When did you present them for the first time?

Mr. BARENBLATT. Well, I presented them for the record when the question was asked me regarding my——

Mr. VELDE. Acquaintanceship——

Mr. BARENBLATT. Private political association.

Mr. VELDE. I didn't get that last answer—sorry.

Mr. BARENBLATT. I believe it was when a question was asked me about my political and private associations. That is when I intended to invoke the objections as here stated.

Mr. VELDE. But that was in the course of these hearings today?

Mr. BARENBLATT. Yes, sir.

Mr. VELDE. Do you feel that that was a reasonable time to submit it in advance to the committee or a member of its staff?

Mr. BARENBLATT. Well, sir, I believe that the proper time to enter objections is when you object to a question being asked, so under those considerations I really think so, sir.

Mr. VELDE. In other words, you did what you believed was right in spite of what the committee rules were, is that correct?

(At this point Mr. Barenblatt conferred with Mr. Wittenberg.)

Mr. BARENBLATT. No, sir; I wouldn't put that interpretation on it at all.

¹ Retained in committee files.

I believed what I did was right and I had no idea of what the committee's interpretation of this was at the time I submitted the statement.

Mr. KUNZIG. Have you ever been a member of the Communist Party?

Mr. BARENBLATT. I must object to that question on the grounds previously put into the record.

Mr. KUNZIG. You may just say the same grounds and we will understand it to mean this document which is Barenblatt Exhibit No. 1.

Mr. BARENBLATT. Yes, sir; exhibit 1, sir.

Mr. VELDE. All right. Now, Mr. Witness, you are directed to answer that question.

Mr. BARENBLATT. I decline to answer on the basis of the grounds stated in exhibit 1.

Mr. KUNZIG. Now, you have said that you knew Francis Crowley. Did you know Francis Crowley as a member of the Communist Party?

Mr. BARENBLATT. I must decline to answer that question, sir, on the grounds as stated in my objections in exhibit 1.

Mr. KUNZIG. Now, you don't have to do it. You said you must. Do you decline to answer?

Mr. BARENBLATT. I do, sir.

Mr. KUNZIG. I respectfully ask that he be directed on each of these questions, Mr. Chairman.

Mr. VELDE. Yes. You are directed to answer the question propounded by counsel.

Mr. BARENBLATT. The same question; I object on the grounds as previously stated in the exhibit.

Mr. KUNZIG. Do you decline to answer?

Mr. BARENBLATT. I decline to answer.

Mr. KUNZIG. Were you ever a member of the Haldane Club of the Communist Party while at the University of Michigan?

Mr. BARENBLATT. I decline to answer on the grounds as previously stated.

Mr. VELDE. You are directed to answer that question, Mr. Witness.

Mr. BARENBLATT. Sir, I respectfully decline to answer on the basis of the grounds as previously stated.

Mr. KUNZIG. Were you a member while a student of the University of Michigan Council of Arts, Sciences, and Professions?

Mr. BARENBLATT. I again decline to answer on the basis of the objections made in exhibit 1.

Mr. VELDE. You are again directed to answer that question, Mr. Barenblatt.

Mr. BARENBLATT. I must decline to answer these questions, sir, on the basis of the grounds as previously stated.

Mr. KUNZIG. Let the record show, of course, that the National Council of Arts, Sciences, and Professions is a cited Communist-front organization.

Now, I want to go back to one point, Mr. Barenblatt. Would you please give the committee a brief résumé of your employment background?

Mr. BARENBLATT. I held very temporary jobs before the time of my receiving a bachelor's degree. After that I was in the Army.

On being discharged from the Army I worked for a short time for a firm, I believe the name of it was Graphics Institute, in New York.

I then enrolled in the University of Iowa and I believe the next regular employment after that was as a teaching fellow at the University of Michigan.

Mr. KUNZIG. What did you teach?

Mr. BARENBLATT. I taught psychologies.

Mr. KUNZIG. Psychology?

Mr. BARENBLATT. Yes, sir.

Mr. KUNZIG. How long did you teach psychology as a teaching fellow at the University of Michigan?

Mr. BARENBLATT. Let's see, I believe it was from the fourth semester of 1948 to the spring semester of 1950.

Mr. KUNZIG. Would you continue, please.

Mr. BARENBLATT. The fall semester of 1950 I was employed as an instructor at Vassar College and continued there until—I believe my contract ran until June 15 of this year at Vassar College.

I am not now employed.

Mr. KUNZIG. What did you teach at Vassar College?

Mr. BARENBLATT. Psychologies.

Mr. KUNZIG. Is your contract finished there?

Mr. BARENBLATT. Yes, sir; terminated.

Mr. KUNZIG. So at the moment you are unemployed?

Mr. BARENBLATT. Yes, sir.

(At this point Mr. Barenblatt conferred with Mr. Wittenberg.)

Mr. KUNZIG. I want to ask one thing further, just so the record can be completely clear—

Mr. BARENBLATT. Yes, sir.

Mr. KUNZIG (continuing). And so there can be no doubt in the written record at all.

You have not at any time this afternoon during your testimony before this committee in any way sought to invoke or raise the fifth amendment whatsoever up to the present moment, have you?

Mr. BARENBLATT. You are entirely correct, sir.

Mr. VELDE. Mr. Walter?

Mr. WALTER. No.

Mr. VELDE. Mr. Doyle?

Mr. DOYLE. Mr. Chairman, I think the record should show that at this time there are pending before the United States Congress several active bills dealing with the question of subversive activities, dealing with the question of the Communist Party, dealing with the question of the responsibility that we have as a congressional committee under Public Law 601.

I am sure that is the record, and I would like the record of this hearing of this committee to especially show it—

Mr. VELDE. Yes, I think—

Mr. DOYLE (continuing). And that this witness and these other witnesses could help us in line with our Public Law 601 responsibility to have hearings with reference to recommendations for legislation in this area under Public Law 601 in accordance therewith.

Mr. VELDE. I concur with you, Mr. Doyle, and I wish to further state that the record should show that the evidence or information contained in the files of this committee, some of them in the nature of evidence, shows clearly that the witness has information about Communist activities in the United States of America, particularly while he attended the University of Michigan.

That information which the witness has would be very valuable to this committee and its work.

It is the opinion of the committee, at least the Chair, that the committee has a constitutional legal right in all ways and forms and means to get the information which has been requested from the witness.

If there is nothing further the witness is excused.

Do you have another witness, Mr. Counsel?

Mr. KUNZIG. Mr. Lucas.

Mr. BARENBLATT. Thank you, sir.

Mr. KUNZIG. Mr. Jack Lucas, L-u-c-a-s; is he in the room, please?

Mr. VELDE. Will the officer ask in the hall if Jack Lucas is present.

Mr. KUNZIG. Mr. Chairman, I respectfully request that this be postponed until tomorrow.

Mr. VELDE. Without objection, it will be postponed and the committee will stand in adjournment until 10:30 tomorrow morning.

(Whereupon, at 4 p. m., the hearing was adjourned to Tuesday, June 29, 1954, at 10:30 a. m.)

COMMUNIST METHODS OF INFILTRATION

(Education—Part 9)

TUESDAY, JUNE 29, 1954

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:35 a. m., in the caucus room of the Old House Office Building, Hon. Harold H. Velde (chairman), presiding.

Committee members present: Representatives Harold H. Velde (chairman), Kit Clardy, Gordon H. Scherer (appearance noted in transcript), and Francis E. Walter.

Staff members present: Robert L. Kunzig, counsel, Donald T. Appell, investigator, and Riley Smith, acting for the clerk.

Mr. VELDE. The committee will be in order.

For the purpose of this hearing, I appoint a subcommittee consisting of Mr. Clardy of Michigan, Mr. Walter, of Pennsylvania, and myself as chairman.

Counsel may proceed.

Mr. KUNZIG. Jack Alexander Lucas.

TESTIMONY OF JACK ALEXANDER LUCAS

Mr. KUNZIG. Would you state your full name, please?

Mr. LUCAS. Jack Alexander Lucas.

Mr. KUNZIG. What is your present address, Mr. Lucas?

Mr. LUCAS. 349 West 113th Street, Apartment 81, New York City.

Mr. KUNZIG. I see that you are not accompanied by counsel. We have discussed this previously, you and I, and I believe you know the rules of our committee. Rule No. 7 says that at each hearing, public or executive, every witness shall be accorded the privilege of having counsel of his own choosing. I take it you understand this rule?

Mr. LUCAS. I understand.

Mr. KUNZIG. And you do not desire to have counsel sitting with you. Is that correct?

Mr. LUCAS. I understand. That is correct. I do not have counsel.

Mr. KUNZIG. Now, Mr. Lucas, when and where were you born?

Mr. LUCAS. In the small town of Neberskoof, Austria.

Mr. CLARDY. Where is that town located with reference to Vienna or some other large city?

Mr. LUCAS. Well, it is quite far south of Vienna. It is almost Hungary. It is close, as close as you can get, to Hungary, in southern Austria.

Mr. CLARDY. At the other end of the country?

Mr. LUCAS. No, it is the same end, but it is southeast of Vienna.

Mr. CLARDY. Oh, southeast of Vienna?

Mr. LUCAS. Yes.

Mr. KUNZIG. Would you tell the committee under what circumstances you came to this country, and whether you are now a citizen?

Mr. LUCAS. Well, I came as a refugee from Nazi occupation of Austria. I have been a citizen since 1944.

Mr. KUNZIG. If I am correct, I believe you served in our armed services; is that correct?

Mr. LUCAS. I did, in the United States Seabees.

Mr. KUNZIG. In the Seabees?

Mr. LUCAS. Yes.

Mr. KUNZIG. How long were you in the Seabees?

Mr. LUCAS. From October 1943 to March or April 1946.

Mr. KUNZIG. Would you give the committee a brief résumé of your background, your schooling?

Mr. LUCAS. Yes. I graduated from East Lansing, Mich., High School.

Mr. KUNZIG. When?

Mr. LUCAS. 1944, during service. I was not present at the graduation; I was in service.

Mr. KUNZIG. What year did you come to the United States?

Mr. LUCAS. 1939.

Mr. KUNZIG. And you attended high school here in this country?

Mr. LUCAS. Yes.

Mr. KUNZIG. And you do have a high school diploma?

Mr. LUCAS. I do.

Mr. KUNZIG. And you got it during the time you were in the service, actually?

Mr. LUCAS. Yes. I have a bachelor's degree from the University of Michigan. I attended at one time and another Michigan State College, I have attended.

Mr. KUNZIG. Just a minute. Tell us when you went to Michigan State, and when you went to the University of Michigan.

Mr. LUCAS. Michigan State, for a brief period before entering the service in 1943; then after discharge, 1946 to 1947. Then University of Michigan, from 1947 to 1950.

Mr. KUNZIG. So you were at the University of Michigan from 1947 to 1950, at Ann Arbor?

Mr. LUCAS. That is correct.

Mr. WALTER. May I interrupt at this point? When did you come to the United States?

Mr. LUCAS. 1939.

Mr. WALTER. 1939?

Mr. LUCAS. Yes.

Mr. WALTER. Were you a Communist at the time you came to the United States?

Mr. LUCAS. No, I was not. I was not even acquainted with such a thing.

Mr. CLARDY. Did you enter as a student?

Mr. LUCAS. No. I was 7 years old at that time—14 years old.

Mr. CLARDY. Bob, will you go into that?

Mr. KUNZIG. You have testified that you came over here in 1939, as a boy of 13?

Mr. LUCAS. Fourteen.

Mr. KUNZIG. Did you come with your family?

Mr. LUCAS. Yes.

Mr. KUNZIG. And your citizenship was acquired in what fashion?

Mr. LUCAS. It was acquired by myself doing military service.

Mr. KUNZIG. During military service?

Mr. LUCAS. Yes, sir.

Mr. CLARDY. What year?

Mr. LUCAS. 1944.

Mr. KUNZIG. Now, when you were at the University of Michigan, did you have occasion to know a Francis X. Crowley?

Mr. LUCAS. The name is faintly familiar. I cannot—it means at the moment very little to me.

Mr. KUNZIG. Mr. Crowley testified here in detail yesterday morning, Mr. Lucas, and he mentioned amongst many others a Jack Alexander Lucas as someone whom he knew during the period of time from 1947 to 1950, at the University of Michigan, as a member of the Communist Party; I believe, specifically, as a member of the Ralph Neafus Club of the Communist Party.

My question to you Mr. Lucas, is, were you ever a member of the Communist Party?

Mr. LUCAS. Yes, I was a member of the Ralph Neafus Club, approximately from—I can't give you the exact amount—September, October 1947, to—well, I paid my initiation dues. I paid a few monthly dues after that, and I suppose if you would look for some final date of resignation from the party it would be June 1948, the end of the semester, as I did not reappear after that semester. Just 1 full school year.

Mr. KUNZIG. One?

Mr. LUCAS. Just 1 full school year.

Mr. KUNZIG. 1947-48?

Mr. LUCAS. Yes.

Mr. KUNZIG. I take it, then, if I should ask you whether you are a member of the Communist Party today, your answer would be "No," is that right?

Mr. LUCAS. No.

Mr. KUNZIG. You are not a member today?

Mr. LUCAS. I am not.

Mr. KUNZIG. But you were a member, say, from 1947 to 1948, while at the University of Michigan?

Mr. LUCAS. Yes, at the university.

Mr. WALTER. I believe that Crowley testified that there were approximately 55 students at the University of Michigan who were members of the Communist Party while he was there. Is that correct, do you know?

Mr. LUCAS. It seems a little exaggerated. It might be true.

Mr. KUNZIG. Would you say it was almost true, to the best of your recollection?

Mr. LUCAS. To the best of my recollection, it may be twice the actual number. To the best of my recollection, I have no—

Mr. VELDE. You say you got out of the party in 1948?

Mr. LUCAS. Yes.

Mr. VELDE. The end of the first semester in 1948?

Mr. LUCAS. Yes.

Mr. VELDE. I believe that Mr. Crowley did not leave the party until 1950.

Mr. KUNZIG. That is right.

Mr. WALTER. More than that, he was a member of three different Communist organizations.

Mr. VELDE. So he perhaps would have more occasion, or more knowledge concerning the situation there at the University of Michigan than you would; isn't that true?

Mr. LUCAS. Yes. I was not acquainted.

Mr. CLARDY. When you add together the names that he gave us, the identities that he made, to those that have been made by other witnesses, his figure, in my opinion, is probably a little low rather than a little high?

Mr. LUCAS. Possibly.

Mr. KUNZIG. I am going to hand you, Mr. Lucas, a copy of the Washington Post and Times Herald for Tuesday, June 29, 1954, and on page 17 there is a picture, as it says there, of Francis Crowley. Does that picture bring back Crowley to you? Does it refresh your memory?

Mr. LUCAS. Well, it looks somewhat familiar. Yes, I believe I have seen him.

Mr. WALTER. It looks like somebody you knew while you were at the university?

Mr. LUCAS. Yes; not very good.

Mr. KUNZIG. Now, tell us the circumstances as to how you as a refugee to this country, someone who fought in our Armed Forces, became a member of the Communist Party.

Mr. LUCAS. Well, the Communist Party, to my knowledge, at that time was quite active in various activities, which induced me.

Mr. KUNZIG. Such as what?

Mr. LUCAS. Activities aimed at these small but apparently important issues such as maintaining price control and being against universal military training. I don't recall all the issues that came up at every election, before every election, and it seemed to be at that time working on the right side instead of on the wrong side.

Besides, there was a very important question of international relations. Quite a few people who were thinking about it, who were going to school at the time, who had little experience in politics but who were interested in it, who had been in the war and had no special interest in getting into another war, they were considerably worried about the way international relations were going.

It looked as if the hopes expressed by the United Nations, when they were established, and the hopes expressed generally shortly when the war ended, that there would be no other war, didn't have much content.

Now, it seemed that the Communist Party, along with many, many other groups, was trying to offer a new approach, which did not mean a new approach on the basis as we understood it, or I understood it, on the basis of a different form of government, but a new approach

that had not been tried before very thoroughly. More than anything, it was generally expressed in the policy in 1948, attempt to talk as long and as seriously as possible in order to come to some agreement, which is—I consider it quite an agreement with the program outlined in Mr. Kennan's American Diplomacy, which makes me, to some extent, apply it even now.

Mr. VELDE. Mr. Lucas, how did you gain your knowledge of what the Communist Party stood for?

Mr. LUCAS. How did I gain it?

Mr. VELDE. Yes.

Mr. LUCAS. Through acquaintance with some people, and I would like to state now that I never considered myself a serious Communist, and that, for example, in 1948, when the election came up, when I was quite active in the Progressive Party—

Mr. VELDE. Do you mean by that that you didn't know at the time you were a member of the Communist Party that it was a conspiracy to overthrow all free governments of the world; is that right?

Mr. LUCAS. Well, I didn't understand the Communist Party, as I knew it, to be such a conspiracy, and from my present position now looking back over these past few years and seeing it in that perspective, I still do not understand that the Communist Party to which I belonged, or at least within the limits in which I saw it, to have been a conspiracy aimed against the Government.

Mr. CLARDY. May I inquire, Mr. Chairman?

Mr. VELDE. Yes. Mr. Clardy.

Mr. CLARDY. Witness, in the beginning of your statement about how you got into the party, you said "at that time." Do you mean in the fall of 1947 when you entered the University of Michigan?

Mr. LUCAS. Oh, I meant it quite generally, covering the war years, that type of thinking that went back, maybe, to 1944.

Mr. CLARDY. Let me put it this way: You went into the party for the first time, did you, when you joined the Ralph Neafus Club in Ann Arbor in the fall of 1944?

Mr. LUCAS. Yes; I did.

Mr. CLARDY. Well, now, apparently from the months you gave us of September or October, you must have joined almost immediately after you matriculated, then; is that not correct?

Mr. LUCAS. Yes; that is true.

Mr. CLARDY. Very well. You must have had some mental preparation for the entry into the party, then, prior to that time; is that not also correct?

Mr. LUCAS. That is correct; yes.

Mr. CLARDY. Where did you get the information and through what process did you go that lead up to your being made ready for joining the Ralph Neafus Club?

Mr. LUCAS. Well, largely through my personal reading and then through acquaintance with some political organizations.

Mr. CLARDY. All right. That is what I was getting at. Where were you immediately before you came to Ann Arbor?

Mr. LUCAS. Michigan State College.

Mr. CLARDY. At East Lansing?

Mr. LUCAS. Yes.

Mr. CLARDY. Who did you associate with there that sold you on these ideas there?

Mr. LUCAS. Nobody sold me on the ideas. I became acquainted—I became aware of the existence of the Communist Party about the time when I entered the University of Michigan. I became aware of its effective existence in connection with being active in such groups as, what they called Progressive Citizens of America, and—what was it—well, various organizations, political groups with a slightly left direction, largely composed of liberal Democrats.

Mr. CLARDY. Let's put it this way: Prior to the time that you came to Ann Arbor in the fall of 1947, had you been associated with any individual or with any group that you recognized as Communists?

Mr. LUCAS. Not with any group that I recognized as Communist. I was acquainted with some persons whom I considered being Communists, or close to communism, but I was not aware of the existence of a Communist organization.

Mr. CLARDY. I see. Well, were those persons students at Michigan State College or were they residents of the East Lansing area, or what was the situation?

Mr. LUCAS. Well, both.

Mr. CLARDY. Both?

Mr. LUCAS. Both.

Mr. CLARDY. Did you attend any meetings in either Lansing or East Lansing of the Communist Party?

Mr. LUCAS. No; I did not.

Mr. CLARDY. Did you ever hear the name Gregurek?

Mr. LUCAS. Could you repeat the name?

Mr. CLARDY. Gregurek.

Mr. LUCAS. No.

Mr. CLARDY. You never heard of it?

Mr. LUCAS. Never heard of it.

Mr. CLARDY. Did you hear the first name Goldie in connection with that?

Mr. LUCAS. No; I have never heard it.

Mr. CLARDY. Or Frank Gregurek?

Mr. LUCAS. No. At least it meant nothing to me, sir, if I heard of it.

Mr. CLARDY. Did you attend any meetings of any kind in downtown, or the main residential part of Lansing?

Mr. LUCAS. No. I attended various legislative sessions or hearings of the Michigan State Legislature in connection with—I don't recall what issues.

Mr. CLARDY. You didn't attend any house meetings of groups that were either Communist or left wing, then?

Mr. LUCAS. Oh, no, no.

Mr. VELDE. Let me ask you just one question at this point.

Did anyone approach you in East Lansing or Lansing asking you to join the Communist Party there?

Mr. LUCAS. No, not to join it.

Mr. VELDE. All right. Proceed, Mr. Counsel.

Mr. KUNZIG. Mr. Lucas, you yourself fled the tyranny of Nazism. Did you see no tyranny in the communism which you joined for that period of time?

Mr. LUCAS. I will put it this way, that I joined the Communist Party here with a certain sense of expediency; that it was a group more active, I would say, than any other group on quite a few issues that I believe in, and quite apart from ideological ramifications on the question of being connected with the Soviet Union. I felt that I was being more effective in working in connection with a group that helpful to steer these activities than to be in the backwash of it and just tag along.

I felt—and I was proved to be wrong by circumstances—that I would have a voice in the direction of these activities, more voice in it than I would otherwise have.

Mr. KUNZIG. You mean you thought you would have a voice in the activities, but when you got in you found you had no voice, is that it?

Mr. LUCAS. Well, I had a small voice.

Mr. KUNZIG. You had a small voice?

Mr. LUCAS. I would say larger than if I belonged to some of the groups on the sidelines.

Mr. KUNZIG. Now, why did you leave this group after just 1 year.

Mr. LUCAS. Well, because I disagreed violently with the ideological thought control that existed in it, and I wanted to say previously that in 1948, during the Progressive Party campaign—which, again I repeat, I was very active and I don't regret having been active in it—I received issues of the Militant, which is a Socialist Party worker's newspaper, purely of interest, which I considered versed in the Communist Party. In fact, I brought up the question at one of the Communist Party meetings in 1948, "Why should the Communist Party be considered the party of the working people rather than some other party?" There could be a dozen other parties.

Mr. KUNZIG. I imagine that question caused an uproar, didn't it, at the Communist Party meeting?

Mr. LUCAS. Well, it was not especially liked. But it was practically decided at that time.

Mr. KUNZIG. We have had a recent experience with the other party you just mentioned in connection with the Purple Stole just last week on the west coast.

Mr. VELDE. Yes.

Mr. KUNZIG. Now, you said you were very active in the Progressives, and that was at the same time, wasn't it, that you were also a member of the Communist Party?

Mr. LUCAS. Well, the Progressive Party was established sometime in the early spring of 1948.

Mr. KUNZIG. So you were a member of both groups at the same time in that period?

Mr. LUCAS. At that period; yes.

Mr. KUNZIG. Isn't it correct to say that many of the Communist group were also in the Progressive group?

Mr. LUCAS. Yes; that is correct.

Mr. KUNZIG. The same people?

Mr. LUCAS. Yes. It was one of the intentions of the Communist Party to push the Progressive Party program, and it was quite satisfied with it.

Mr. KUNZIG. Tell us the names of the people whom you remember who were Communists in the club together with you; the Ralph Neafus Club.

Mr. LUCAS. I would rather not answer that question.

Mr. CLARDY. What is that?

Mr. LUCAS. I would rather not answer this question. I would request the courtesy not to be forced to answer.

Mr. CLARDY. Well, are you invoking the protection of the fifth amendment in refusing to answer?

Mr. LUCAS. No; I am not.

Mr. CLARDY. Then, Mr. Chairman, in view of his statement, that he is not raising the fifth amendment but saying he would prefer not to answer, I ask that he be directed.

Mr. VELDE. Well, first of all, the witness is appearing here without counsel.

May I ask, first, Mr. Lucas, have you had advice of counsel of your own?

Mr. LUCAS. I have discussed various questions with counsel; yes; and I decided against appearing with counsel.

Mr. VELDE. Yes, I see; and you have talked with our counsel, Mr. Kunzig, haven't you, about your testimony?

Mr. LUCAS. Yes.

Mr. KUNZIG. May I go into detail?

Mr. VELDE. May I say this one more thing to the witness?

Mr. KUNZIG. Surely.

Mr. VELDE. I think it is my duty to tell you that if you admit your own membership in the Communist Party but refuse to give us any further information about others who were with you in the party, you place yourself in a position where a contempt action might be brought against you.

Mr. LUCAS. I am aware of that.

Mr. VELDE. You are aware of that?

Mr. LUCAS. Yes; and I do not desire to be in contempt of the committee.

Mr. VELDE. Other than that, we have had a number of witnesses who have had the same qualms of conscience about being informers and stool pigeons, and, frankly, it is the Communist Party that will call you an informer and a stool pigeon; it won't be members of the committee; it won't be our counsel. No decent American citizen would call you a stool pigeon; it would just be the Communist Party and their various front groups, their organ, the New York Daily Worker. You say now that you have quit the Communist Party and you don't want anything further to do with it, so I implore you to consider changing your mind and answer questions about those who were within your group. It is very necessary that this committee obtain that information in order for it to do its duty that it is obliged to do.

Now, in view of the fact that you may be cited for contempt if you don't, in view of your desire to be helpful to this committee, I am wondering now if you will answer the questions put to you by counsel and identify members that you know were Communists with you in the Neafus Club at Michigan?

Mr. LUCAS. I desire to be helpful to the committee, it is true.

Mr. CLARDY. I didn't understand you.

Mr. LUCAS. I desire to be helpful to the committee.

Mr. CLARDY. The only way you can do it is to answer the questions.

Mr. LUCAS. I do not mind to be called an informer or a stool pigeon

or anything of that sort by the Communist Party. I have considered this thing for a long time, and I seem to be running up against a stone wall. I cannot break through it any time it comes to this question of giving information about other people, not because I would be likely to do these people any harm——

Mr. WALTER. Now, just at that point, let me interrupt you.

What consideration are they entitled to? These people about whom you will be asked are people who are part of a conspiracy to destroy this Nation, and it certainly seems to me that they are entitled to no consideration at all. They are criminal conspirators, taking their orders from Peking and Moscow.

Now, why, if you are sincere and earnest in what you say, aren't you willing to help us so that in this very difficult and distasteful task we have we can succeed in making the American people aware of what is going on?

Don't answer that.

Mr. KUNZIG, before you go into that, I want to ask him about the Student Commission on Communism.

Were you a member of that, the Student Commission on Communism, at the University?

Mr. LUCAS. Never heard of it.

Mr. WALTER. Never heard of it. All right.

Mr. CLARDY. May I inquire a moment?

Mr. VELDE. Mr. Clardy.

Mr. CLARDY. Do you still have relatives in Austria?

Mr. LUCAS. No close relatives at all.

Mr. CLARDY. Do you still have friends there?

Mr. LUCAS. I know of some people there, but I have no communication with any of them.

Mr. CLARDY. Don't you hear from them something about the Communist oppression in that country?

Mr. LUCAS. Well, I am aware of Communist oppression in various parts of the world. I don't know how strong it is in Austria. But I am aware of it, certainly.

Mr. CLARDY. You do know that in Austria the Communists have become, outside of the environs of the city of Vienna, have become pretty offensive in what they have done with the natives of that country?

Mr. LUCAS. I have no sympathy with communism anywhere, and I am aware of such things, yes.

Mr. CLARDY. But I am asking you, since you are a native of a country that is obviously being so badly oppressed by the Communist conspiracy at the moment, I am at a loss to understand why you will not go all the way with this committee in our efforts to expose all of its ramifications here so that what has happened in Austria will not take place here. It is in my mind because I was in that country last fall, and I don't know how the people stand what is going on there.

Now, how you can sit there and refuse to cooperate with your Government in an endeavor to prevent the thing from happening here that has happened there is beyond me.

When we get back on the track again, won't you answer the last question that Mr. Kunzig put to you so that we may have the benefit of all that you know about this conspiracy?

Mr. LUCAS. I would like to interpose here that I do not understand myself to be refusing to cooperate with this committee or any branch of the Government.

I would like to clarify this question. I have now been asked whether I know any person who is now a member of this Communist conspiracy, as they call it. I have lost—

Mr. VELDE. Let me ask you that, now—

Mr. LUCAS. I have been asked to give, not in a very precise way, either—it is very difficult in the way the question has been put, in the first place, to prepare an answer to it. As I recall, the question was, whom did you know to have been a member of the Ralph Neafus Club during your membership—

Mr. WALTER. All right. Now, at that point let's just limit this inquiry to members of that club without any connotation whatsoever.

Mr. LUCAS. Well, that is exactly what I—

Mr. WALTER. We will draw our own conclusions as to whether or not they were members of the Communist Party. You just give us the names of the members of this club.

Mr. LUCAS. But these people I knew in 1947 were members of something that may or may not have been a conspiracy 7 years ago. I would be giving names of people I have known 7 years ago and implying by giving these names that these people were in some shady activity or have been involved in some shady activity—

Mr. KUNZIG. Now, let's get this clear. First of all, it was not 1947: it went on into 1948.

Mr. LUCAS. Yes.

Mr. KUNZIG. Secondly, I think—and members of the committee have said many times before to other witnesses—that you cannot take or arrogate unto yourself the decision as to whether or not to give your Congress the names of these people.

The Supreme Court—since you have no attorney here—in 1951 in the Rogers case, the Supreme Court of the United States of America pointed out very clearly that the fifth amendment extends to yourself; you can refuse to testify if you feel your answer might tend to incriminate you yourself; but there is no amendment of any kind that lets you in any way, shape, or form refuse to answer a question properly put to you by a duly authorized committee of your Congress because you might fear you would incriminate someone else. There is nothing in our Constitution that says that.

Therefore, a properly authorized committee seeking to determine the extent of Communist influence—and you don't determine it as of what it is today or as of what these people are today without looking back and seeing who was in it a few years ago and then having further investigation to see whether they are in it today. Therefore, your answers to these questions as to who was in the Ralph Neafus Club of the Communist Party with you are vitally important, vitally important to this committee.

I therefore call upon you again to please answer the question, how many did you know—

Mr. VELDE. Now, what was the question again, Mr. Counsel?

Mr. KUNZIG. Would you please name the people who were in the Ralph Neafus Club of the Communist Party with you?

Mr. CLARDY. May I add something to what counsel said, Mr. Chairman?

Mr. VELDE. Yes. Mr. Clardy.

Mr. CLARDY. May I point out, witness, the testimony that we have taken all over the country indicates that it is the so-called intellectuals, the people who have had the advantage of college and university educations, that furnish the sparkplugs for this conspiracy. It is extremely important that we find out the members of this group and then trace them down to now to discover whether they are in a position today to influence the young minds of America in the direction that you were influenced while you were in school. It is vitally important that we have that.

Mr. KUNZIG. May I add just one point to that, that many of these people that you knew back in 1948, and you don't know them today, we have information that some of these people are currently leaders of the Communist Party. For instance, Ernie Ellis; you knew him very well as a Communist leader?

Mr. LUCAS. Yes, I was acquainted with Ernie Ellis.

Mr. KUNZIG. You knew him as a leader of the Communist Party, did you not?

Mr. LUCAS. Yes.

Mr. KUNZIG. All right. Today he is a Communist Party leader in Grand Rapids, Mich., so he is not deserving of your care, caution, and scruples.

Mr. LUCAS. I do not care to incriminate any person. It is not the question of incriminating anyone. To me it is entirely a moral issue, whether others may understand it or not, but it is something I cannot do.

Mr. CLARDY. Do you mean by that that you are now refusing to answer that question?

Mr. LUCAS. I answered part of it.

Mr. KUNZIG. He did answer as to one man just now.

Mr. CLARDY. But beyond that you will go no further?

Mr. LUCAS. Well, I will tell you that I am acquainted with Mr. Shaffer, a member of the Communist Party.

Mr. KUNZIG. Shaffer. Do you remember his first name?

Mr. LUCAS. Edward.

Mr. KUNZIG. Edward Shaffer?

Mr. LUCAS. Yes.

Mr. KUNZIG. You knew him to be a member of the Communist Party?

Mr. LUCAS. Yes.

Mr. CLARDY. He was a very active, aggressive member, was he not?

Mr. LUCAS. Yes.

Mr. WALTER. He was one of the directors of the Wallace movement in Michigan, too, wasn't he?

Mr. LUCAS. Not very active in it. He was mostly active in the Communist Party.

Mr. CLARDY. He was active in some other groups, the LYL—

Mr. LUCAS. This is something after my time.

Mr. CLARDY. The AYD?

Mr. LUCAS. Yes.

Mr. KUNZIG. Were you active in the AYD?

Mr. LUCAS. No.

Mr. KUNZIG. You were not. How about the Michigan Youth for Democratic Action?

Mr. LUCAS. No, I was not associated with it.

Mr. KUNZIG. Well, now, let's mention some of the people who appeared here yesterday. Mr. Beberfall; did you know him to be a member of the Communist Party?

Mr. LUCAS. No, I did not.

Mr. KUNZIG. Lloyd Barenblatt?

Mr. LUCAS. No, I did not.

Mr. KUNZIG. Robert Silk?

Mr. LUCAS. No, I did not.

Mr. VELDE. Mr. Counsel, we have had a quorum call in the House, so it will be necessary for us to recess for about 15 minutes.

We will take a recess for about 15 minutes.

(Whereupon, at 11:18 a. m., a recess was taken to 11:45 a. m.)

(Thereupon, at 11:45 a. m., the hearing was resumed pursuant to the taking of the recess, the following committee members being present: Representatives Harold H. Velde (chairman), Kit Clardy, Gordon H. Scherer, and Francis E. Walter.)

Mr. VELDE. The committee will be in order, please.

Proceed, Mr. Counsel.

Mr. KUNZIG. Mr. Lucas, prior to the brief recess we were discussing members of the Ralph Neafus Club of the Communist Party at the University of Michigan, and I had asked you to name the members of the club whom you knew to be members and, of course, to be members of the Communist Party. You had mentioned 1 or 2.

I think, with the chairman's permission, I will go through the list of these people who have been identified here previously, so their names, of course, will not be mentioned for the first time by myself, and ask you if you knew them to be members of the Communist Party.

Mr. CLARDY. May I make a suggestion, Mr. Counsel?

Mr. KUNZIG. Yes, sir.

Mr. CLARDY. Ask him two questions; ask him first if he knew them.

Mr. KUNZIG. All right.

Did you know a Lloyd Barenblatt?

Mr. LUCAS. I believe I did.

Mr. KUNZIG. Did you know Barenblatt to be a member of the Communist Party?

Mr. LUCAS. No, I did not.

Mr. KUNZIG. You have already mentioned you knew Ernie Ellis and that you knew him to be a member of the Communist Party.

Mr. LUCAS. Yes.

Mr. KUNZIG. Did Ernie Ellis recruit you into the Communist Party?

Mr. LUCAS. You might put it that way, yes.

Mr. KUNZIG. How did he recruit you in?

Mr. LUCAS. Well, he asked me to join.

Mr. KUNZIG. You mean he just up and asked you to join the Communist Party?

Mr. LUCAS. We had a few discussions, yes.

Mr. KUNZIG. And you joined them?

Mr. LUCAS. Yes, I did.

Mr. KUNZIG. Did you pay dues?

Mr. CLARDY. May I inquire, Mr. Chairman, right there?

Mr. VELDE. Mr. Clardy.

Mr. CLARDY. Did you know this gentleman before you entered school at Ann Arbor?

Mr. LUCAS. No, sir, I did not. I may have seen him but I didn't know him.

Mr. CLARDY. Then your acquaintance with him up to the time that he asked you to enter the party had been very brief?

Mr. LUCAS. Well, quite brief. I must have talked to him quite a bit during that time.

Mr. CLARDY. Well, you must have been pretty easy to be persuaded, then, if you only knew him that brief time. Was that the only influence working on you?

Mr. LUCAS. The main influence.

Mr. VELDE. He testified before he got inspiration from reading the various pamphlets, so he was ready, ripe to join it at that time—weren't you?

Mr. LUCAS. I don't believe I was ever convinced about the party alone. I joined in, but I was pretty shaky as a member all along from the beginning.

Mr. CLARDY. But you did join?

Mr. LUCAS. I did join, yes.

Mr. CLARDY. Well, why did you join it if you would have us believe that you didn't adhere to what it stood for?

Mr. LUCAS. Because I joined it as somebody might join a political movement, or "Let's go to Washington," or some club. Everybody joins clubs, and I did not—

Mr. CLARDY. That is all, Mr. Chairman.

Mr. LUCAS. I didn't feel that the Communist Party was anything more than another club.

Mr. KUNZIG. Let's go on with the names. George Sarver; did you know George Sarver?

Mr. LUCAS. I think so, yes.

Mr. KUNZIG. Did you know George Sarver to be a member of the Communist Party?

Mr. LUCAS. I am not sure about that.

Mr. KUNZIG. You are not sure—

Mr. LUCAS. I knew him in political activities.

Mr. KUNZIG. Did you know him in the Ralph Neafus Club?

Mr. LUCAS. I don't believe so.

Mr. KUNZIG. Patricia Fiske Ellis; that is Mrs. Ernie Ellis. Did you know her?

Mr. LUCAS. Yes.

Mr. KUNZIG. Did you know her, together with her husband, to be a member of the Communist Party?

Mr. LUCAS. Well, I assume she was.

Mr. KUNZIG. Well, did you know that she was?

Mr. WALTER. Was she a student at the University of Michigan?

Mr. LUCAS. I don't think so.

Mr. VELDE. Well, did you attend meetings of the Neafus Club with her?

Mr. LUCAS. Yes, she was present. Meetings were held at Ellis' house.

Mr. KUNZIG. Now, Edward H. Shaffer you have already mentioned, haven't you?

Mr. LUCAS. Yes.

Mr. KUNZIG. And identified as a member of the Communist Party.

How about Bill Carter, who at one time was chairman of the Ralph Neafus Club, succeeding Ernie Ellis?

Mr. LUCAS. Yes, I knew him.

Mr. KUNZIG. And knew him to be a member of the Communist Party?

Mr. LUCAS. Yes.

Mr. KUNZIG. Al Milstein, M-i-l-s-t-e-i-n; he was either treasurer or had some other office in the Ralph Neafus Club. It may, of course, have been at a later time.

Mr. LUCAS. I knew him.

Mr. KUNZIG. You knew Al Milstein?

Mr. LUCAS. Yes.

Mr. WALTER. What connections did this University of Michigan club have with Communist organizations in other schools and colleges?

Mr. LUCAS. I can't give you anything specific on that. I couldn't give you anything specific on that. I assume it had connection with other groups.

Mr. WALTER. The point I am trying to make is this: This Communist Party club at the University of Michigan wasn't just an isolated case. This was typical of the sort of organizations that existed in schools throughout the United States, isn't that right?

Mr. LUCAS. Yes; I believe it a sort of pinprick so far as the campus goes. It is a small thing.

Mr. CLARDY. It was just a local chapter in the national organization, wasn't it?

Mr. LUCAS. Yes, I would consider it that.

Mr. KUNZIG. Now, you said you knew Al Milstein, and you knew Al Milstein as a member of the Communist Party?

Mr. LUCAS. He may have been.

Mr. KUNZIG. Well, now, we are interested in those that you knew to be members of the Communist Party.

Mr. LUCAS. I knew him to be active in political activities.

Mr. KUNZIG. Did you ever attend meetings of the Ralph Neafus Club with him?

Mr. LUCAS. I don't believe so.

Mr. KUNZIG. How about Jean Fagan, F-a-g-a-n?

Mr. LUCAS. I knew her.

Mr. KUNZIG. You knew her?

Mr. LUCAS. Yes, sir.

Mr. KUNZIG. Did you know her to be a member of Ralph Neafus?

I might add all these people have been identified as members of Ralph Neafus, Mr. Lucas.

Mr. LUCAS. She may have been.

Mr. CLARDY. Do you know where her home was?

Mr. LUCAS. East Lansing, Mich.; yes.

Mr. CLARDY. You knew her first, then, at East Lansing when you were at MSC?

Mr. LUCAS. Yes.

Mr. CLARDY. Did you ever visit her home?

Mr. LUCAS. Yes.

Mr. CLARDY. You knew her parents?

Mr. LUCAS. Not—well, I think I met them; I think I met her mother.

Mr. KUNZIG. Do you know her sister, Ann Fagan, Ann Fagan Ginger?

Mr. LUCAS. No; I have heard of her but I didn't know her.

Mr. CLARDY. Did you start to say something about her father?

Mr. LUCAS. Her father was dead.

Mr. CLARDY. At the time?

Mr. LUCAS. Yes.

Mr. CLARDY. Her mother is still living; is she not?

Mr. LUCAS. I suppose so. I have not heard.

Mr. KUNZIG. Did you know John Houston, a law student?

Mr. LUCAS. Yes.

Mr. KUNZIG. Did you know him to be a member of Ralph Neafus?

Mr. LUCAS. I believe so; yes, sir.

Mr. KUNZIG. Now, his wife was Betty Houston, Mrs. John Houston. Did you know Betty Houston?

Mr. LUCAS. Yes; I think I met her.

Mr. KUNZIG. At meetings of Ralph Neafus?

Mr. LUCAS. It may have been.

Mr. KUNZIG. Do you know whether he or she were ever officers of the Ralph Neafus Club?

Mr. LUCAS. I don't recall it.

Mr. KUNZIG. Now, we have the twins we had testimony about yesterday, Calvin Lippett and Alvin Lippett. Did you know Calvin Lippett and Alvin Lippett?

Mr. LUCAS. Yes.

Mr. CLARDY. Were you able to tell them apart?

Mr. LUCAS. It was difficult.

Mr. CLARDY. That is what the witness said yesterday.

Mr. LUCAS. I knew one of them to be a great mathematician, but——

Mr. CLARDY. Do you know which one that was?

Mr. LUCAS. No; but I didn't know them to be members.

Mr. KUNZIG. Didn't they ever once go into the club together at the same time?

Mr. LUCAS. I did not know them to be members.

Mr. KUNZIG. You did not know them to be members?

Mr. LUCAS. No.

Mr. KUNZIG. Did you know them to be members of the Communist Party at all?

Mr. LUCAS. No.

Mr. VELDE. Did you ever sit in a meeting of the Neafus Club with these twins?

Mr. LUCAS. I don't think so.

Mr. KUNZIG. I won't ask that their names be stricken as is ordinarily the case, Mr. Chairman, because they have been previously identified with another witness.

Mr. VELDE. Yes. That is all right. We don't want you to testify to anything that is not true.

Mr. KUNZIG. Lee Salk, S-a-l-k; did you know Lee Salk?

Mr. LUCAS. Yes; I met him; yes, sir.

Mr. KUNZIG. Did you know him to be a member of either Ralph Neafus or Haldane, or any Communist group?

Mr. LUCAS. No.

Mr. KUNZIG. Bernard Poll, P-o-l-l?

Mr. LUCAS. I don't know him.

Mr. KUNZIG. Martin Hoffman?

Mr. LUCAS. I don't know him.

Mr. KUNZIG. Norman Cazden, C-a-z-d-e-n, assistant professor of music?

Mr. LUCAS. No.

Mr. KUNZIG. Chuck Bisdee, B-i-s-d-e-e?

Mr. VELDE. Mr. Counsel—

Mr. KUNZIG. Yes.

Mr. VELDE. Are you asking whether he knows them?

Mr. KUNZIG. I am asking first whether he knows them, and if he says he does not I am not even going any further.

Mr. VELDE. All right. I just wanted to make it clear.

Mr. KUNZIG. Now, my first question will always be whether you knew them.

Did you know a Chuck Bisdee, B-i-s-d-e-e?

Mr. LUCAS. I think I met him, but I don't recollect.

Mr. KUNZIG. Do you know whether he was a member of the Communist Party?

Mr. LUCAS. No.

Mr. KUNZIG. You don't know?

Mr. LUCAS. No.

Mr. KUNZIG. Did you know a Max Dean?

Mr. LUCAS. Yes; I know him.

Mr. KUNZIG. Did you know him to be a member of the Communist Party?

Mr. LUCAS. No.

Mr. CLARDY. Well, did you ever attend any meetings of any kind that Max Dean attended?

Mr. LUCAS. Oh, he was quite active in the Progressive Party.

Mr. KUNZIG. Now, I think I ought to say to make this clear to you, Mr. Lucas, that you have admitted knowing almost every one of these people. You have admitted being, for at least a year, active in the Communist group, and we are expecting your answers to be true as to the members of the Communist group, but it is very strange that you should know them all and then as to the very ones you have known your memory suffers as to whether they are members of the party now. Of course, we are only interested in the truth as to whether or not they were members of the party.

Mr. LUCAS. Well, I was active in the Progressive Party and—well, mostly Progressive Party activities, Young Progressive activities, and many of these people were in—

Mr. KUNZIG. Were in both?

Mr. LUCAS. Yes. Now, in some cases it is difficult. I knew some of the people, but I am not quite sure about them.

Mr. KUNZIG. Did you know a Jack Geist, G-e-i-s-t?

Mr. LUCAS. Yes.

Mr. KUNZIG. Did you know Jack Geist to be a member of the Communist Party or at any of these clubs?

Mr. LUCAS. No.

Mr. KUNZIG. Did you ever attend any meetings with him?

Mr. LUCAS. Progressive Party meetings, and he ran for the Progressives, too.

Mr. KUNZIG. Marvin Gladstone, G-l-a-d-s-t-o-n-e?

Mr. LUCAS. Yes; I know him.

Mr. KUNZIG. He was an officer of Ralph Neafus. You must have known him to be a member of Ralph Neafus?

Mr. LUCAS. Yes; I did.

Mr. KUNZIG. You did?

Mr. LUCAS. Yes.

Mr. KUNZIG. How about his wife Evelyn Gladstone?

Mr. LUCAS. Yes; I believe so.

Mr. KUNZIG. Did you know her in Ralph Neafus with her husband?

Mr. LUCAS. Yes; I did.

Mr. KUNZIG. How about Jean—I don't know if I am pronouncing this correctly—Tozer, T-o-z-e-r?

Mr. LUCAS. Yes.

Mr. KUNZIG. You knew her?

Mr. LUCAS. Yes.

Mr. KUNZIG. Did you know her to be a member of Ralph Neafus?

Mr. LUCAS. Yes.

Mr. KUNZIG. Now, how about Roselva Rushton Goodman? That is Mrs. Kenneth S. Goodman. Did you know her?

Mr. LUCAS. Yes.

Mr. KUNZIG. Did you know him, Kenneth S. Goodman?

Mr. LUCAS. Yes.

Mr. KUNZIG. All right, you knew them both. Did you know Roselva Rushton Goodman to be a member of Ralph Neafus?

Mr. LUCAS. I believe so.

Mr. KUNZIG. Did you know Kenneth S. Goodman, her husband, to be a member of Ralph Neafus?

Mr. LUCAS. I am not sure about Neafus.

Mr. KUNZIG. Or any Communist group?

Mr. LUCAS. I suppose so, but I am not sure.

Mr. KUNZIG. The next name on this list is Jack Alexander Lucas, so I won't ask you that one.

I will ask you about Jack Gore, G-o-r-e; did you know a Jack Gore?

Mr. LUCAS. I met him, I think, once or twice.

Mr. KUNZIG. Did you know him at all—

Mr. LUCAS. There was nothing at that time.

Mr. KUNZIG. He was not in the party in any way, to your knowledge?

Mr. LUCAS. Not in Ann Arbor at that time. I met him in Detroit.

Mr. KUNZIG. Do you know whether he was a leader of the Communist Party amongst the youth of Michigan, whether or not he was at Ann Arbor?

Mr. LUCAS. I know that much, that he was—

Mr. KUNZIG. Known to be such?

Mr. LUCAS. What that means, I don't know.

Mr. KUNZIG. But of the Communist Party?

Mr. LUCAS. Yes.

Mr. KUNZIG. Did you know his wife at all, Jean Gore?

Mr. LUCAS. No.

Mr. KUNZIG. You did not know her. Lester Beberfall, who testified here yesterday; did you know Lester Beberfall?

Mr. LUCAS. The name sounds familiar. I think I may have met him.

Mr. KUNZIG. Did you know him to have been a member of the Communist Party?

Mr. LUCAS. No.

Mr. KUNZIG. You didn't know him, but there is an interesting example. He was testified about here yesterday, named as a member of the party—of course, that happened to be in the Haldane Club—but as an interesting example of whether or not anyone should name names, the testimony actually came out that he was a member of the CIC.

Mr. VELDE. Counter Intelligence Corps in the Army.

Mr. KUNZIG. And when asked whether he was a member of the Communist Party at the same time he was in the Counter Intelligence Corps he refused to answer that on the grounds of the fifth amendment.

Did you know a Freda Perez, P-e-r-e-z, Beberfall's wife?

Mr. LUCAS. I think I met her, yes.

Mr. KUNZIG. They weren't married at that time. That is why I asked you under the name of Perez. Did you know her to be a member of the Communist Party?

Mr. LUCAS. No.

Mr. KUNZIG. Phyllis Pita, P-i-t-a?

Mr. LUCAS. I think so.

Mr. KUNZIG. Did you know her to be a member of the Communist Party? She was Mrs. Edward Gerald Pita.

Mr. LUCAS. I don't think so.

Mr. KUNZIG. Did you know her husband, Edward Gerald Pita, known as Ed Pita?

Mr. LUCAS. Yes.

Mr. KUNZIG. Did you know him in Communist Party meetings?

Mr. LUCAS. I don't think so.

Mr. KUNZIG. Joan Studer, S-t-u-d-e-r?

Mr. LUCAS. I met her.

Mr. KUNZIG. Did you know her in Ralph Neafus?

Mr. LUCAS. Yes.

Mr. KUNZIG. James Terrell, T-e-r-e-l-l?

Mr. LUCAS. Yes, I met him.

Mr. KUNZIG. Did you know him in Ralph Neafus?

Mr. LUCAS. No, I did not.

Mr. KUNZIG. Hy Bershad, B-e-r-s-h-a-d, Hyman Abe Bershad?

Mr. LUCAS. Yes, I think so.

Mr. KUNZIG. Did you know him in Ralph Neafus?

Mr. LUCAS. No.

Mr. KUNZIG. Roosevelt Ward, Jr.; did you know him?

Mr. LUCAS. Yes, he was—during the last part of 1947.

Mr. KUNZIG. Did you know him as a member of Ralph Neafus?

Mr. LUCAS. Yes.

Mr. KUNZIG. Did you know him as a national officer of the Labor Youth League at all?

Mr. LUCAS. No, I didn't.

Mr. KUNZIG. Did you know Ed or Edward Yellin, Y-e-l-l-i-n?

Mr. LUCAS. Yes.

Mr. KUNZIG. Did you know him as a member of Ralph Neafus?

Mr. LUCAS. I think so.

Mr. KUNZIG. How about Ed Freeman, F-r-e-e-m-a-n?

Mr. LUCAS. I met him.

Mr. KUNZIG. Did you know him as a member of Ralph Neafus?

Mr. LUCAS. No.

Mr. KUNZIG. Jerry Green, G-r-e-e-n; I believe it was Jerome Green?

Mr. LUCAS. I don't know.

Mr. KUNZIG. You don't know him?

Mr. LUCAS. I may have met him but I don't recall him.

Mr. KUNZIG. Mildred Faderbush, F-a-d-e-r-b-u-s-h?

Mr. LUCAS. I think I met her, but I don't know anything about her.

Mr. KUNZIG. Mazie Gusakoff?

Mr. LUCAS. No.

Mr. KUNZIG. G-u-s-a-k-o-f-f.

Mr. LUCAS. No.

Mr. KUNZIG. Robert H. Silk; did you know him?

Mr. LUCAS. Yes, I met him.

Mr. KUNZIG. A young law student. Did you know Robert H. Silk as a member of any of the Communist groups?

Mr. LUCAS. No, no.

Mr. KUNZIG. Leon Brown; did you know him?

Mr. LUCAS. Yes.

Mr. KUNZIG. Did you know him as a member of Ralph Neafus?

Mr. LUCAS. I think so.

Mr. KUNZIG. Now, I don't know whether we had completed the résumé of your education. So the record may be clear, would you complete your education for us to the present, formal education?

Mr. LUCAS. Well, after getting a bachelor's degree from the University of Michigan in 1950, I attended the University of Wisconsin for a year.

Mr. CLARDY. What school?

Mr. LUCAS. University of Wisconsin.

Mr. CLARDY. Wisconsin?

Mr. LUCAS. Yes.

Mr. CLARDY. What was your degree from the U. of M.?

Mr. LUCAS. Bachelor of arts.

Mr. KUNZIG. What did you study at the University of Wisconsin?

Mr. LUCAS. Sociology and anthropology.

Mr. KUNZIG. Did you get a degree there?

Mr. LUCAS. No, I did not.

Mr. KUNZIG. Is that the conclusion of your education?

Mr. LUCAS. No; I attended the New School of Social Research in New York City.

Mr. KUNZIG. Were you a student at the New School?

Mr. LUCAS. Yes.

Mr. KUNZIG. What subjects did you study at the New School?

Mr. LUCAS. Various subjects; mostly theology.

Mr. CLARDY. What year was that?

Mr. LUCAS. 1952-53.

Mr. CLARDY. And is it your testimony that at that time you were not in any way affiliated with the Communist Party or the Communist movement?

Mr. LUCAS. That is correct, and I would like to clear up again a mistaken impression, that the New School for Social Research is not

identical with the Jefferson School which is connected with the Communist Party. That confusion has appeared many times.

The New School has been quite active, even to going to the extent of covering up a mural in its cafeteria which had a picture of Lenin and Trotsky on them so that students would not be required to look at the picture during their meals because it spoils the impression of the mural.

Mr. KUNZIG. Now, to go back to your education; your studying at the New School, is that the end of your formal education?

Mr. LUCAS. Well, I attended two courses at Columbia University.

Mr. KUNZIG. Daytime or nighttime courses?

Mr. LUCAS. Nighttime courses.

Mr. KUNZIG. Have you had employment since you left Michigan?

Mr. LUCAS. Yes, I have.

Mr. KUNZIG. What type of employment have you had? Just bring it from the beginning up to the present.

Mr. LUCAS. Well, I have had a few odd jobs here and there in Wisconsin, and I spent some time in Minneapolis, a few weeks.

Mr. KUNZIG. Doing what kind of work in these jobs?

Mr. LUCAS. I worked in the office of a boiler factory; and in New York I have been employed in bookstores.

Mr. KUNZIG. In bookstores?

Mr. LUCAS. Yes, since I have lived in New York. I have been in New York since the fall of 1951.

Mr. KUNZIG. What bookstore are you working in now?

Mr. LUCAS. Columbia University Bookstore.

Mr. KUNZIG. Columbia University Bookstore?

Mr. LUCAS. Yes.

Mr. KUNZIG. Is that part of Columbia University?

Mr. LUCAS. Yes, it is.

Mr. KUNZIG. Are you an employee, then, of Columbia University?

Mr. LUCAS. Yes, sir.

Mr. KUNZIG. You receive your check or pay from Columbia University?

Mr. LUCAS. Yes, I do.

Mr. KUNZIG. Mr. Chairman, I have no further questions.

Mr. VELDE. Mr. Clardy?

Mr. CLARDY. No questions.

Mr. VELDE. I have no questions, either, Mr. Lucas, but may I say this:

You were a little bit worried about testifying about some of your buddies or your friends in the Communist Party. We have noted throughout our hearings all over the country during the last several years that there are other witnesses who likewise feel this way about testifying about their friends.

It is interesting to note in your particular case that the reasons for your getting into the party and the reasons for your getting out of the Communist Party are very similar to the reasons that are given by others who have testified before this committee.

Occasionally we do find a witness who has a different, entirely different, reason for getting into the party than you have. In fact, there have been, I suppose, about 15 to 20 different reasons given for becoming involved in the Communist conspiracy.

Now, while you might not consider your testimony to be important, the committee does because it shows the methods that the Communist Party used to infiltrate into, in your case, the educational system of this country, and while you might not have considered it to be a conspiracy at that time, if you had continued and had been an avid Communist Party member you would have very shortly found that it was a conspiracy directly connected with Moscow.

It is for that reason that we have to insist that you answer all questions that are pertinent to the investigation we are making.

The committee does appreciate your appearance here and your giving the answers to the questions put to you by counsel, and we feel that you have rendered a patriotic service to your country.

Did you have something further?

Mr. KUNZIG. I have one more; I thought we ought to ask this one question since it was not asked in this fashion.

Are there any other names of any other people that you can think of that were not specifically listed off to you here this morning whom you knew to be members of the Communist Party?

Mr. LUCAS. No, I think I can answer clearly that I do not know of anybody else. I cannot recall anybody else.

I would also like to thank the chairman for the good words he gave me, and I would like to say that I am in complete disagreement with the method of investigation being used by the committee, which does not mean that I feel the committee has been unfair in any way to me. I think it has been quite fair.

But I believe that in spite of any Communist danger that may exist—and there undoubtedly exists some Communist danger—the House Committee on Un-American Activities and other committees in this field of investigation are doing more harm to the cause of democracy than good in spite of all fairness and good will there may be in it. It is not the way to get a clear picture of the extent of the Communist movement in the United States.

Mr. CLARDY. What would you suggest?

Mr. LUCAS. There are accepted ways of investigating political movements and historical—

Mr. CLARDY. May I interrupt you there?

Mr. LUCAS. Yes.

Mr. CLARDY. Do you still regard the Communist Party as a political movement?

Mr. LUCAS. To some extent, yes.

Mr. CLARDY. To any extent at all, purely political?

Mr. LUCAS. Yes, I believe so.

Mr. CLARDY. You have witnessed what has happened in Guatemala, where it might be possible for the Communists to establish a bomber base that could destroy all of America within a matter of hours if they wish to do so, and you still sit there and say that it is no business of the Congress to investigate that conspiracy and to uncover every person that was ever connected with it? Do you have the audacity to sit there and say that to us, sir.

Mr. LUCAS. I believe that investigations could be conducted efficiently through a board of social scientists and historians.

Mr. CLARDY. You mean by people who went to the kind of schools that you went to and joined the groups you did, that they should be

entrusted with the safety of the Nation: is that what you are telling us?

Mr. LUCAS. I believe my experience and the experience of this type could be quite valuable in——

Mr. CLARDY. Have you ever exposed a Communist?

Mr. LUCAS. People who have an unbiased view of the situation. I believe that this American Congress should feel——

Mr. CLARDY. Well, I want to disassociate myself at this moment from the words that the chairman spoke a moment ago, because I think you are utterly contemptible in the attitude you have taken toward your Congress and your Government. I think you have demonstrated here today you are not ideologically separated at all from the Communist Party and what it stands for.

Mr. LUCAS. I wish to add that I have not the slightest sympathy for the Communist Party——

Mr. CLARDY. You have demonstrated to me you have the utmost sympathy or you would not have said what you did.

Mr. LUCAS. But I feel a new kind of individualism, stronger individualism is needed, and more pride for the feeling of the glory of the United States, which is in letting every person, to as far an extent as is possible, do what he wishes to do, think what he wishes to think, and change his mind about his way of living and about his way of thinking whenever he feels it is——

Mr. CLARDY. To let Communists loose to do what they wish, and that is exactly why I think your attitude is contemptuous, sir, and I disapprove of it thoroughly.

Mr. LUCAS. I think it is a sign of democracy to have dangerous movements in it——

Mr. CLARDY. I think you have brought to this country an ideology that is wholly foreign to our own. I am afraid you have not yet been assimilated.

Mr. VELDE. Mr. Lucas, I am not going to withdraw the remarks I made to you previously. However, I will say this, that I recognize that you have the right, as does every American citizen, to criticize your Congress, to criticize the committees of the Congress, to criticize each individual member of a committee. However, I am inclined to agree with Mr. Clardy that what you have stated since my statement to you leads reasonable people to believe that you haven't entirely disassociated yourself from the Communist ideology.

As I remember your testimony, you stated that the reason, one of the reasons, that you got out of the Communist Party was because of the control that they exerted over your thinking.

Mr. LUCAS. That is true.

Mr. VELDE. Well, that is hardly in line with what you have just stated, then, that you feel friendly toward the Communist Party, and I think we should have the right——

Mr. LUCAS. I stated that I believed strongly in individualism, as is feasible, that it is needed to the meaning of the words that we should not associate, nobody should associate himself with any movement that dictates to him what he should think.

Mr. CLARDY. Well, don't you recognize the Communist Party as a conspiracy dedicated to the destruction of the very freedom that you are talking about? Don't you see that?

Mr. LUCAS. Well, that is a question that sort of prejudges my answer to it. It would——

Mr. CLARDY. Let me interrupt you.

Then you are telling me that you are not yet convinced that the statement I made is 100-percent correct, and so long as you are not sure of that, sir, to me you are not a good American citizen.

Mr. LUCAS. But not a Communist, or not an associate of the Communist conspiracy, if it is such a conspiracy. It is possible to have a third position, or a fourth or a fifth position, disagreeing with a congressional investigation of political activity, or of conspiracy, if they are such, and still not associate oneself with these activities.

Mr. CLARDY. You said you had no complaint to make about the manner in which we examined you?

Mr. LUCAS. I have no complaint.

Mr. CLARDY. And we treated you fairly; is that right?

Mr. LUCAS. Yes.

Mr. CLARDY. Then what is it you object to about congressional investigations if it is not to the whole idea of exploring the Communist conspiracy?

Mr. LUCAS. I believe the congressional investigations in such fields of activity are not the American way of work, as I understand it.

Mr. CLARDY. Then you do not understand the things that furnish——

Mr. LUCAS. And if I may explain what is meant by this American way—well, in short, it means the less government the better, and the less the Government goes into——

Mr. CLARDY. If you had the Communist Party in full force here you would have something you would dislike even more, I am sure.

That is all I have, Mr. Chairman.

Mr. VELDE. I have nothing further.

You have no further witnesses?

Mr. KUNZIG. No.

Mr. VELDE. The committee will stand in adjournment to the call of the Chair.

(Whereupon, at 12:25 p. m., the hearing was adjourned.)

INDEX

INDIVIDUALS

	Page
Baldwin, Bereniece	5762, 5764
Barenblatt, Lloyd L.	5777, 5801-5814 (testimony), 5826
Barsky, Edward K.	5785
Baxter	5769
Beberfall, Freda (Mrs. Lester Beberfall; <i>see also</i> Perez, Freda)	5769
Beberfall, Lester	5778, 5796-5801 (testimony), 5826, 5831
Belfrage, Cedric	5786
Bershad, Hyman Abe	5772, 5832
Bisdee, Chuck	5776, 5800, 5830
Brown, Leon	5770, 5771, 5833
Brumm	5800
Carter, William (Bill)	5763, 5764, 5766, 5828
Cazden, Norman	5773, 5791-5796, (testimony), 5830
Crowley, Francis Xavier Thomas	5753, 5754, 5755-5783 (testimony), 5784, 5785, 5792, 5797, 5802, 5812, 5817, 5818
Dean, Max	5776, 5830
Ellis, Ernest	5763, 5767, 5825-5828
Ellis, Patricia Fiske (Mrs. Ernest Ellis)	5767, 5827
Fagan, Jean	5766, 5828
Federbush, Mildred	5765, 5833
Forer, Joseph	5783, 5791
Freeman, Ed	5772, 5833
Geist, Jack	5777, 5830
Ginger, Ann Fagan	5829
Gladstone, Evelyn (Mrs. Marvin Gladstone)	5765, 5831
Gladstone, Marvin	5764, 5830
Goodman, Kenneth	5768, 5831
Goodman, Roselva Rushton (Mrs. Kenneth Goodman)	5767, 5768, 5831
Gore, Jack	5768, 5831
Gore, Jean (Mrs. Jack Gore)	5831
Green, Jerome	5833
Gregurek, Goldie (Mrs. Frank Gregurek)	5829
Gregurek, Frank	5820
Gusakoff, Mazie	5778, 5833
Hartle, Barbara	5769, 5800
Hoffman, Martin	5777, 5830
Hood, Otis	5761
Houston, Betty (Mrs. John Houston)	5767, 5829
Houston, John	5767, 5829
Kaplan	5800
Leviton, Harry	5796
Lippett, Alvin	5767, 5829
Lippett, Calvin	5767, 5829
Lipshires, Sidney	5760
Lucas, Jack Alexander	5768, 5814, 5815-5837 (testimony)
McGee, Willie	5774
Milstein, Al	5771, 5828
Perez Freda (<i>see also</i> Beberfall, Freda)	5769, 5832
Pita, Edward Gerald	5773, 5832
Pita, Phyllis (Mrs. Edward Pita)	5773, 5832
Poll, Bernard	5772, 5829
Salk, Lee	5771, 5829
Sarver, George	5767, 5827
Saymour, Ann	5756

	Page
Schirmer, Daniel Boone	5761
Shaffer, Edward	5765, 5766, 5769, 5825, 5827
Sharpe	5769
Silk, Robert H.	5772, 5783-5791 (testimony), 5826, 5833
Studer, Joan	5771, 5832
Terrell, James	5773, 5832
Tozer, Jeanne	5767, 5831
Wallace, Henry A.	5769, 5825
Ward, Roosevelt, Jr.	5765, 5770, 5832
Wittenberg, Phillip	5801
Yellin, Eddie	5769, 5832

ORGANIZATIONS

Abraham Lincoln Brigade	5763
American Labor Party	5757, 5774
American Veterans' Committee	5776
American Youth for Democracy	5769, 5786, 5825
Ann Arbor City Council	5799
Camp Unity	5775
Citizens' Committee Against the Ober Law	5794
City College of New York	5791, 5796, 5802
Columbia University	5755, 5756, 5761, 5834
Columbia University Bookstore	5834
Communist Party, Massachusetts, (Boston) West End group	5769, 5761
Communist Party, Michigan, Haldane Club	5769, 5773-5778, 5781, 5782, 5785, 5798, 5803, 5812, 5829, 5832
Communist Party, Michigan, Ralph Neafus Club	5762-5774, 5776, 5777, 5785, 5798, 5817, 5819, 5821, 5822, 5824, 5826-5829, 5831, 5832, 5833
Communist Party, Michigan, Town Club (Ann Arbor)	5775
Communist Party, New York City, Connolly Club	5756
Cultural and Scientific Conference for World Peace	5793, 5794
Graphics Institute, New York	5812
Harvard University	5791, 5793
Independent Progressive Party	5799, 5800, 5801, 5819, 5821, 5830
Jefferson School of Social Science	5775, 5793-5795, 5834
Juilliard School of Music	5791, 5792, 5793
Labor Youth League	5765, 5769, 5770, 5825, 5832
Labor Youth League, Michigan	5768, 5772, 5774
Liberal Party	5757
Massachusetts Institute of Technology	5777
Mechanics Institute	5755
Michigan State College	5816, 5819, 5820
Michigan Youth for Democratic Action	5786, 5825
National Council of American-Soviet Friendship	5760, 5761
National Council of Arts, Sciences, and Professions (<i>see also</i> University of Michigan Chapter of the Arts, Sciences, and Professions)	5793, 5812
National Lawyers' Guild	5785, 5787, 5790
New School of Social Research, New York City	5833
Peabody Conservatory, Baltimore	5792
Progressive Citizens of America	5820
Socialist Party	5821
Spring City High School, Spring City, Pa.	5796
Student Commission on Communism, University of Michigan	5823
Supreme Court	5785
Texas A. and M. College	5796
United Nations	5818
United States Army, Counter Intelligence Corps	5798, 5799, 5832
United States Maritime Service	5802
United States Seabees	5816
University of Illinois	5792, 5795
University of Iowa	5802, 5813
University of Israel	5777

	Page
University of Michigan_____	5755, 5761,
5762, 5768, 5772-5774, 5777, 5778, 5782, 5784, 5792, 5795, 5796, 5799,	
5800, 5802, 5812, 5813, 5816-5820, 5826-5828, 5833.	
University of Michigan Chapter of the Arts, Sciences, and Professions_	5795, 5812
University of Wisconsin_____	5833
Vassar College_____	5778, 5792, 5813
WLIB (radio station)_____	5793
WNYC (radio station)_____	5793
Washtenaw County Committee for Democratic Rights_____	5800
Wayne University_____	5796
Young Communist League_____	5769
Young Communist League, Michigan_____	5768
Young Progressives_____	5786, 5795, 5830

PUBLICATIONS

Daily Worker_____	5757, 5795, 5800, 5822
Masses and Mainstream_____	5795
Michigan Daily_____	5770
Militant_____	5821
National Guardian_____	5786
Purple Stole_____	5821
Washington Post and Times Herald_____	5818



BOSTON PUBLIC LIBRARY



3 9999 05445 3426

